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*The attention of the readers is drawn to the advertisements
in this issue.*

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THE PRESIDENT'S PAGE

To conform to an editorial deadline, I must write my first President's Page more than a month before becoming your President. Your Editor, exercising the same efficiency with which he holds us to deadlines, gave me cause to anticipate this task well in advance, and yet I am surprised at the magnitude of the dilemma: what can I say that will sound presidential? Shall I set down a fraudulent executive pronouncement, trusting to my induction to purge it of its fraud before you read it? No. I lack the imagination required of one who speaks with an authority to be later acquired; I shall only solicit from you, for the future, the same type of cooperation you have given my predecessor, and pledge to my successor the same type of help and understanding I have received during my term as President-Elect.

In soliciting your cooperation, I remind you that we are small, as international professional groups go, and we can accomplish much by correspondence and by personal contact. Membership in our Association carries the noteworthy privilege of writing to any one of the members or officers, suggesting, objecting, questioning, or merely "holloing", and being assured of a personal answer. It carries, too, the even greater privilege of counting as personal friends those members and officers who attend the annual meetings.

I solicit your suggestions for ways of consolidating the gains of the year as manifested in official reports to the Miami meeting. It is not enough for us to have discovered our "new horizons"; we must move toward them. I hope you will weigh the good and the less satisfactory points of the Miami meeting (my knowledge of advance plans makes it impossible for me to speak of "good and bad" plans) or of other meetings you have attended, and send us your tally. You can help us make the 1955 Chicago meeting one which will benefit each member of the Association.

In pledging to my successor the same good things which have come to me during my term as President-Elect, I promise to make the same liberal use of carbon paper as did my predecessor, her officers, and the Journal Editor. I am profoundly grateful to them for having realized that a year's observation, through a carbon-copy window, of official correspondence and reports of the Association, would help to vaccinate me against panic, and might even reduce the number of mistakes I shall make. Noble successor, I enjoin you, make the most of it: never again will you have such an opportunity to observe the patient's symptoms without having to prescribe, or to view the problems of your Association without having to assume responsibility for their solution. Prematurely (because of that editorial deadline) I look back on my year as President-Elect with some nostalgia. It was wonderful!

MARIAN G. GALLAGHER

The Copying of Literary Property in Library Collections

PART II

by LOUIS CHARLES SMITH*, Senior Attorney
Copyright Office, Library of Congress

The first part of this article, which appeared in the August 1953 issue of the Law Library Journal¹, reviewed generally the area of possible conflict between the need felt by libraries to make photocopies of portions of certain copyrighted works and manuscripts in their collections, and the laws designed to protect authors against the unauthorized copying and publication of their works. It was pointed out that libraries desire to make photocopies chiefly for the private use of individual scholars and research workers to whom copies would otherwise not be conveniently available or who would otherwise find it necessary to copy extracts laboriously by hand; and that photocopies may also be desired for library use to replace missing or defaced pages of a book or to reproduce deteriorating material such as old newspapers.

The law relating to copyright and the common-law protection of manuscripts was reviewed briefly, with emphasis on the doctrine of *fair use*, and

some of the past efforts to solve the problem were summarized.

We move on now to explore some of the possibilities for meeting the needs of research scholars for photocopies without infringing upon the rights of authors or their successors or assigns.

The safest procedure, of course, would be to require that the copyright owner's consent be obtained in each instance. But this would not meet the needs of scholars; it would simply ignore the problem. Requests for the copyright owner's consent would frequently mean long delay; some copyright owners would refuse permission arbitrarily; others would fail to respond; and in some cases the copyright owner cannot be found or the identity of successor owners is difficult to determine. It should be possible, instead, for representatives of the several groups concerned—libraries, scholars, publishers, and authors—to agree upon a general basis, consistent with their various interests, on which photocopying for scholarly research will be permitted.

* The author wishes to acknowledge the valuable editorial assistance of Mr. Richard S. MacCarteney in the preparation of the first article and Mr. Abe A. Goldman in the case of the second article. They are both fellow members with Mr. Smith on the staff of the United States Copyright Office. The views and

opinions expressed herein are those of the author and do not necessarily reflect those of the Copyright Office or the Library of Congress.

1. 46 LAW LIBRARY JOURNAL 197 (1953).

We proceed to consider the extent to which photocopying for research purposes may be deemed compatible with the interests of authors and publishers. Their compatibility appears to depend primarily on the applicability of the principles underlying the doctrine of *fair use*. As pointed out in the first part of this article, *fair use* is a vague concept; its limits have never been defined, and the courts in the United States have had no occasion to consider its application to the specific problem of making an individual copy of a work for the use of a scholar.² No attempt will be made here to define the precise limits of *fair use*, but some general observations may suggest a basis for reconciling the needs of research scholars with the rights of the copyright owner.

Our copyright law is based on the provision of the Federal Constitution³ empowering Congress "to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries." As a general proposition, copyright is a means of stimulating authorship, the stimulus being supplied by giving to the author (or his successors or assigns) the exclusive right to communicate his work to the public so that he may derive such remuneration as the public will pay for the use and enjoyment of his work. In short, un-

less authorship is a source of livelihood, authors may be forced to turn to other pursuits instead.

The exclusive right of the author to exploit his work, however, is merely the means to a more fundamental end: "to promote the progress of science and useful arts" for the broader benefit of the public. This underlying aim requires that the work of an author, when disclosed by him to the public, be available to others for their enlightenment and as a stepping stone to their further advancement of "science and useful arts". Herein lies the reason why certain limitations are placed on the author's rights, the most evident being the limitation on the duration of the copyright.⁴ So it is, too, that others are not excluded from using the same thoughts or ideas in works of their own.⁵ More pertinent to our present inquiry is the limitation on the author's rights which is implicit in permitting the private non-commercial use of his work, exemplified by a private reading or audition of the work as distinguished from a public rendition or performance for profit.⁶ A further instance of permissible use is found in the doctrine of *fair use*.⁷

With respect to making copies of a work, however, it is essential to note that while the copyright subsists, the copyright owner alone is entitled to reproduce the work (or to authorize its reproduction) for dissemination to the

2. Note, however, that the Copyright Acts of Great Britain (1911, 1 & 2 Geo. 5, c.46, § 2 (1)) and of Canada (1921, c.24, § 17) name "private study" and "research" among the purposes of permissible "fair dealing".

3. Article I, Section 8.

4. Thus the phrase "for limited times" in the Constitutional authorization of copyright legislation. The statute limits the term of copyright to 28 years plus a renewal term of 28 years: 17 U.S.C. § 24.

5. See Howell, *The Copyright Law* (3d ed., 1952), p. 46.

6. 17 U.S.C. § 1 (c), (d), and (e) limits the copyright owner's performance rights to performance "in public for profit", or to the right "to perform . . . publicly", or "to perform . . . publicly for profit". See Weil, *Copyright Law* (1917), pp. 88-89, 92-93.

7. 46 LAW LIBRARY JOURNAL 198-202 (1953).

public. The *private use* or *fair use* of the work by others must be confined to such uses as will not compete with or undercut the copyright owner's sale of copies to meet the public demand.

With these two basic principles in mind—that the copyright law is designed "to promote the progress of science and the useful arts", and that copyright owners are to be protected against competition in exploiting the market for their works—we may now suggest a fundamental distinction between the making of a single copy of a work for the *private use* of a scholar in research study, and the reproduction of copies for distribution to potential purchasers of the copyrighted work. No one would doubt the propriety of the scholar's consultation without limit of a copy in the library or of a copy borrowed from the library. As recognized in the "Gentlemen's Agreement" and the "Fair Copying Declaration" summarized in the first part of this article published in the August 1953 issue of the Law Library Journal,⁸ a photocopy is supplied in lieu of a loan of the library's copy or in lieu of the scholar's manual transcription from a copy in the library. Supplying a photocopy to the scholar for his greater convenience in conducting his study is not seen to be a competitive invasion of the copyright owner's market for the work to any appreciable degree. The threat of injury to the copyright owner lies, not in the scholar's use of a photocopy for his private study, but rather in any further dissemination by the scholar of the substance of the copyrighted work, either in a direct reproduction or as part of the scholar's own work.

On the basis of this distinction, it is submitted a tenable argument can be made in justification of the making of a photocopy by a library for the use of a scholar under the following conditions.

1. *The scholar would be required to give some assurance (a) that the photocopy requested by him is desired for the sole purpose of his private study and (b) that he will not reproduce or distribute the photocopy, or copy any substantial part of it in his own work without the permission of the copyright owner.*

The scholar's use of the photocopy should be confined to his own private research. Its further circulation to others, or its duplication or publication in any way by him (including quotation of its contents in his own work beyond the established scope of permissible quotation or excerpts necessary to illustrate critical comment) may be an invasion of the rights of the copyright owner. The scholar requesting a photocopy should be so informed, and should be required to give some assurance (as in a signed statement to this effect) that he needs the copy for his private research and will not use it for any other purposes or permit others to use it.

2. *Not more than one photocopy would be made for any one scholar.*

A single photocopy should suffice for the scholar's research needs. Further, a request for more than one copy may be an indication that he contemplates using copies for other purposes.

8. *Ibid.*, pp. 202-204.

3. *Each photocopy would bear notations showing the source of the material and stating that it is copyrighted.*

Crediting the source is an ordinary concomitant of fair use. Moreover, the scholar should have a ready reminder of the source and also of the copyright restricting his use of the photocopy.

4. *The scholar would be required to pay the full cost of making the photocopy in any event. Where the work to be photocopied is believed to be available for purchase from trade sources, the charge for the photocopy should be greater than the price of a trade copy.*

Low cost to the scholar should not be the inducement to requests for photocopies. Where trade copies are available for purchase, a photocopy should not be made available on competitive terms. A scholar who would otherwise purchase a trade copy might be induced to procure a photocopy instead if the cost were substantially less; but if a photocopy is more costly, he could ordinarily be expected to purchase a trade copy. Exceptions to this rule of higher cost might be warranted where the scholar desires only a small portion of a large or expensive work.

It must be pointed out that while the foregoing conditions are believed to represent a reasonable proposal for reconciling the needs of scholars with the interests of copyright owners, photocopying under those conditions has not yet been given the express sanc-

tion of law. Whether the courts would agree that the present law permits photocopying under those or any other conditions is a matter of conjecture.

In view of the uncertain status of the present law, and in the absence of judicial decisions on the basic questions involved, perhaps the ultimate solution of the problem would be legislation permitting libraries to make photocopies under specified conditions. As a basis for legislation, a thorough study should first be made to determine and evaluate the ascertainable facts regarding such matters as the sources of requests for photocopies, the various purposes for which photocopies are needed, the frequency of such requests, the character of the works and the portion of the whole for which photocopies are needed, the effect of various restrictions on the fulfilment of those needs, the institutions receiving requests for photocopies and their present practices in fulfilling them, etc. The aid of research and scholarly organizations might be enlisted in conducting these studies and developing the proposals for legislation.

The general conditions outlined above might serve as a point of departure for the development of legislative proposals. The suggested factual study would test the practicality of those conditions and provide the foundation for more precise specification of the conditions under which photocopying should be permitted.

If legislative proposals are formulated, it would seem advisable for the library associations and research groups to discuss them with representatives of authors and publishers

in order to arrive at a basis for proposed legislation that all could support.

Legislation, however, is a long-drawn-out process. In the meantime, it is suggested that a set of conditions under which photocopying may be permitted, perhaps along the lines of the general conditions outlined above, be drawn up by the library associations and research groups in the form of a proposed policy to be presented to the major publishers' and authors' societies for their endorsement. When a policy acceptable to those groups has been worked out, the publishers' organizations might cooperate in securing the endorsement of as many individual publishers as possible. Acceptance of a definite policy by publishers generally would serve to give practical sanction to the photocopying of the large volume of works in which the subscribing publishers own the copyright. It would also give added strength to the general premise that photocopying under the stipulated conditions represents fair use.

A statement of policy, even though it receives rather widespread acceptance, would not be a final solution of the problem. Some publishers, no doubt, would not subscribe to the proposed policy. Moreover, for a large portion of the published books and for many contributions to periodicals, the publisher is not the copyright owner and his endorsement of the policy would not commit the copyright owner.

Nevertheless, general acceptance of

the policy statement, in addition to its own usefulness as an interim measure, would serve as a step toward the ultimate goal of legislation. It would provide a set of principles, on which libraries and publishers had reached an accord, as the basis for developing and sponsoring legislative proposals acceptable to both groups.

We have not considered in this paper the problem of photocopying unpublished manuscript material that is not copyrighted under the statute. A number of additional questions of considerable complexity are involved here. The exclusive right of the author (or his successors) to reproduce and publish such manuscript material is established as a matter of common law. Any proposal for legislation to permit photocopying of such material, particularly with respect to existing manuscripts, would be fraught with knotty legal problems.

Presumably, manuscript material is placed in libraries because of its value for research; and the donors of manuscript material frequently authorize its use for research purposes under stipulated conditions. Encouragement of this practice would help to ease the problem of making copies available to scholars. Even where the donor grants such permission, however, it must be remembered that the donor is not always the owner of the literary property rights. When the manuscripts are quite old, though, there would ordinarily be little likelihood that the remote successors of the author would object to the donor's arrangements.

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A Common Lawyer's French*

by SAMUEL J. STOLJAR**

V. Grammar: The Verb

The first step in trying to make sense of a sentence in a foreign language is to spot and understand the verb; the step is, as a scholastic would put it, to concentrate on the predicate, rather than on the subject, of the given statement. Now compared with the somewhat rough and ready system of declension, Norman-French developed the conjugation of the verb into an elaborate system and fine art.⁶¹ To begin with, we must distinguish between the conjugation of the auxiliary verbs like *avoir* (to have) and *estre* (to be), the conjugation of such irregular verbs as *aller* (to go) and *ester* (in the sense of the Latin *stare*, to stand, to remain), and the conjugation of the regular verbs which are divided—like those of Modern French—into four separate groups, according to whether they end in *-er*, *-ir*, *-oir*, or *-re*. Of these four groups the first is, of course, the largest and the easiest verb-form; it was then, as indeed it is today, the great “living” conjugation. In the later development of Anglo-French this conjugational

structure falls to pieces, but in the classical Year Book period, it is still of fundamental importance.

It may be useful to say a few words about the various moods and tenses as they relate to the regular verbs, and to postpone for a moment the auxiliary and irregular verbs. As for tense, we need to distinguish between (i) the present indicative, (ii) the imperfect indicative and the preterite indicative, and (iii) the future. The present indicative is a most common form. Although the Year Book report almost always begins with a statement that the plaintiff *brought* his writ of entry, or dower, or novel disseisin, or whatever it may be, against the tenant or defendant, and then summarizes also in the past tense the plaintiff's declaration, the report immediately switches to the present as soon as the oral pleadings start. Counsel will say that the defendant *has* no case to answer; or that the plaintiff's writ *is* the wrong writ and so on. The report is an account of what is actually, presently happening or being said in court.

* This is the second of two installments; the first appeared in 47 LAW LIBRARY JOURNAL 119 (1954).

^{**} LL.B., LL.M., Barrister at Law, of Gray's Inn; and of the London School of Economics and Political Science.

61. Again the main source of information must be Maitland's excellent discussion, *loc. cit.* But I

have mainly chosen such examples which I have found from personal experience to be particularly troublesome to the uninitiated Year Book reader. The best book on the verb is Tanquerey, *L'ÉVOLUTION DU VERBE EN ANGLO-FRANÇAIS* (Paris, 1919); see also Brachet and Toynbee, *HISTORICAL GRAMMAR OF THE FRENCH LANGUAGE* (1896), and Darmesteter, *op. cit.*

As regards the verbs ending in *-er*, the first and third persons singular will usually have the same form: *jeo doune* (I give) and *il doune* (he gives); *jeo demaunde* (I ask for, demand) and *il demaunde* (he demands). On the other hand, the verbs ending in *-ir*, *-oir*, or *-re* differ between the first and third persons singular: *jeo doy* (*devoir*, I must) and *il doit* (he must); *jeo tiegne* or *tienc* (*tenir*, I hold) and *il teint* or *tient* (he holds); *jeo dy* (*dire*, I say) and *il dit* (he says). It is perhaps needless to point out that Norman-French did not have the second person singular.

In the first person plural, the ending was generally in *oms*: *nous donoms*, *demaundoms*, *devoms*, *tenoms*, *dioms*. Sometimes, but rather rarely, the ending is in *omes*, e.g., *devomes*, *tenomes*, or in *-omps* as in *entendomps*. In the second person plural the suffix is *-ez*, *-etz* or *-et*. Thus *vous donez* and *vous demaundet*, *vous devetz* or *vous tenet* or *tenez* can all equally be seen. One and the same clerk may vary his spelling between *vous devez* and *vous devetz*, but he will not usually, having begun with *devez*, change over to *vous devet*; indeed, where one clerk writes *vous devet*, the chances are it will be *-et* all the time.⁶² Some verbs have also special forms: *vous dites*, *vous faites* (or *feistes*), but then it is possible to find *vous ditez* and *vous fetez*. *Dire* and *faire* were such common words that what was, perhaps at first, *vous ditez* or *vous fetez* soon evolved into the faster *dites* and *faites*; and such

62. For a consistent example of this, see *MS. G* (Univ. Cam. MS. Gg.5.20), especially folios covering 14 Edw. II.

63. The pronoun here is not *ils* but *il*, the *s*

they have remained even in modern French. Of *respondez* the correct form seems to have been not *respondez* or *respoundet*, but *responez* (var. *respoonez*), and probably for the same reason: *respoundez* was slightly cumbersome in the heat and agitation of debate; try to pronounce *respoundez* ten times very quickly and what you get is *responez*. The third person plural ended in *-ent*: *il⁶³ demaudent*, *il doument*, *il deivent*, *il tienent* (or *tenent*), *il dient*. Occasionally one can find *il clement* and *il claimont* (from *clamer*, to claim) or *descendant* (from *descendre*, to descend). But these forms are very exceptional.

Turning to the past tense, the imperfect and preterite indicatives must be discussed together. The reason for this is that the imperfect was very rarely used, and when the verb had to be put into the indicative past, the preterite did the required service. Of the many verb-inflections which Maitland collected from the Year Books, he could find only 50 odd imperfects but six times as many preterites.⁶⁴ Moreover, where in Norman-French an imperfect is used, the preterite verb-form will be practically nonexistent, and where you find a verb in its preterite tense, you will hardly also find it in the imperfect. One of the few exceptions here is *faire* which appears both in the imperfect third person plural *fesoient*, *fesoint*, *feseint* and in the corresponding preterite *furent*, *ferent*, *feserent*. But more generally, where the accepted form for the third person plural is the imper-

being added much later to denote a plural. *Ils* apparently is not found in the earlier 14th century manuscripts.

64. *Op. cit.*, p. lv-lvi.

fect as in *il disoient, il savoient* (they knew, from *savoir*), *il voleint* they wanted, intended, from *vouloir*), there is no preterite counterpart for any of these verbs. On the other hand, the correct form for the third person singular or *dire* (to say) is *il dist* or *dit*, and not *il disait*, although as regards *savoir* and *vouloir* the correct form is *il voleit* (*volait*) and *il savoit* (*saveit*). Thus the records-Latin of *venerunt et dixerunt* becomes *il vin-drent et disoient* in Year Book French.

What explains this disuse of the imperfect indicative? Maitland cautiously discussed this question.⁶⁵ Was Norman-French merely following the example of the Latin plea rolls where the imperfect is rare except in the case of deponent verbs? Was it that people thought that the imperfect tense was logically inappropriate because "every 'act in the law' is done once and for all at some definite moment of time"?⁶⁶ Was the reason merely phonetical, so that such words as ended in -oir, e.g., *pouvoir, vouloir* or *savoir*, "naturally suggested *il savoit* or *il saveit* as the right form of a past tense," while *porter* did not similarly suggest *il portoit* or *il porteit*?⁶⁷ Only a professional philologist may one day give us a full answer to these questions; in the meantime, we must accept the disuse of the imperfect as an established fact. A few rules may be useful. The imperfect being unimportant for practical purposes (apart from the verbs previously mentioned), the main problem is to distinguish between the present and the preterite indicative. This will not always be

easy having regard to the mere spelling of the word, especially as regards the third singular. Thus *il vient* may mean "he comes" (from *venir*) and the same spelling may also denote "he came", although in this instance *il vint* is the more conventional form. Similarly, *il tient* may mean both "he holds" and "he held", although *il tint* is more common for "he held". Again, *il suffit* will do the work of both "it suffices" and "it sufficed". These possible confusions, however, are more or less confined to the verbs ending in -ir. Furthermore, we may notice the usual endings for the various verb-groups (as they relate to the third person singular and the first, second and third persons plural):

1. *doner, demaunder: il dona, il demaunda; nous donames, de-maundames; vous donastes, vous demaundastes; il donerent; il de-maunderent.*
2. *devoir, pouvoir: il dut (deust), il pout (peust); nous deimes, nous pumes (?); the second and third persons plural have no preterite.*
3. *tenir, garauntir: il tient (tint), il garaunti (garauntist); nous tenyimes, nous garauntimes; vous teinistes (?), vous garauntistes; il tindrent (tiendrent), il garauntirent.*
4. *dire, responce: il dit (dist), il responce; nous responceimes; vous responceistes; il responceirent. As explained above, there are no plurals of *dire* in the preterite.*

We may now turn to the future tense which is, generally speaking,

65. *Loc. cit.*, p. lxii.

66. *Ibid.*

67. *Ibid.*

very much easier to spot. For the verb-form consists of the infinitive with the appropriate (future) suffix, i.e., *-a* for the third person singular, *-oms* for the first plural, *-ez* for the second plural and *-ount* for the third plural. For example, *il demaundera*, *nous demaunderoms*, *vous demaunderez* and *il demaunderount* stand for "he will demand", "we shall demand", "you will demand", and "they will demand", respectively. The first person singular is, unfortunately more irregular; here the ending is not always *-ay* (in modern French *-ai*) or its variant *-ey*, but also *-a*. *Jeo recoveray* and *jeo recovera* are alternative forms for "I shall recover". It will be seen that in this case we have not an infinitive plus a future ending, i.e., *recovereray*, but a contracted word in which one of the two "*er*" has gone by the board. *Jeo recovereray* must really have been too cumbersome in speech and its contraction therefore wholly natural. Nevertheless, there are also some less comprehensible contractions in the future tense. Thus what we would expect to be *il donera* becomes *il dorra*, and the modern French words *ferra* and *ferrons* (he will do and we shall do) are in Norman-French quite often *fra* and *froms*.

Very similar to the future tense is the spelling of the conditional mood. In the first person singular there is almost no distinction between future and conditional: *jeo recoveray* can mean both "I should recover" and "I shall recover." The conditional suffix, in other words, will always be *-ay*, although it will never be *-a* as it might be in the future. There is also

considerable affinity between the first and second person plural. The correct conditional form is *nous demaunderioms* and *vous demaunderiez*, i.e., the endings should be *-ioms* and *-iez*, but *-oms* and *-ez* are found frequently enough. Be this as it may, the third persons singular and plural are very different from the future, and they are perhaps just those situations in which the conditional is most likely to be used. Here the suffix is *-eit* or *-eyt* (or sometimes *-oit*) for the singular, and *-eint*, *-eynt*, *-eient* (or sometimes *-oynt*) for the plural. And of this there seems to be only one exception: the third person of *dire* may be either *dirreint* or *dirreount*.

From the conditional we must pass on to the subjunctive mood. This was indeed a very common form. Where the court gave judgment or made an award, the operative words were put in the subjunctive. For example, if the court decided *qe le demaundaunt ne pregne rien par soun bref*, the correct translation of this is "that the defendant *take* nothing by his writ", since *pregne* is the third person singular of the present subjunctive. Again, there were such common phrases in Norman-French parlance as: *Tiegne la court ceo qe el vodra* (Let the court hold what it pleases) or *Voille Dieus qe vous facez la chose* (Would God that you did the thing). Similarly, when pleaders put their hypothetical cases, they seem to be utilizing the subjunctive. As Maitland said, "The word 'if' or some equivalent must needs play a large part in the ascertainment and development of the law, and the subjunctive appears as the

mood of hypothesis. We cannot say that *si* invariably governs the subjunctive; but it generally does so unless what is in form an hypothesis is in substance a statement of some fact which exists or is represented as existing."⁶⁸

How, then, do we recognize subjunctive verb-forms? First, where the verb represents the first and second persons singular, there is, generally speaking, no specific subjunctive form. The modern French endings in -ions and -iez, both for the present and imperfect subjunctive, remain to be firmly settled by the future. In our period, the usual endings are -oms and -ez, i.e., the endings of the corresponding present indicative. But this does not mean that, for instance, the following phrase must not be translated in the subjunctive. In *nous demandoms juge-ment si nous devoms respoundre a tel bref*, the words *si nous devoms* (whether we ought to) are meant to be subjunctive, although *devoms* looks like a straightforward present indicative. Secondly, some subjunctive forms are, however, already taking more distinct shape, especially in the case of first and third persons singular as well as the third person plural. The following short list will make this clearer.

1. *doner: jeo doune; il doygne, doyne.* There seems to be no example of the third plural of this verb-group. As an exceptional form, *demorer* must be mentioned: *il demoerge*

68. *Loc. cit.*, p. lxvi-lxvii.

69. Which is the title, as the reader may remem-

(*demorge, demerge*). There is a long way between this form and *Que ma joie demeure*.⁶⁹

2. *tenir: jeo tiegne, il tiegne (tigne, teigne), il tiengnant.*
3. *prendre; respoudre: il preigne, prenge, prengne; il respoigne, respoyne; vous preignez; il repoynent.* It will be noticed that *tenir* and *prendre* (also *venir, remeindre: il viegne, il remeygne*), as well as *respoudre*, take in a *g* with several variations: either *gn, ng, or ngn*.
4. *pouvoir: jeo pusse; il pusse, peusse; nous pussoms; vous pussez; il pussent, peussent.*
vouloir: jeo voille; il voille; vous voillez; il voillent.
devoir: jeo deive; il deive, dive; vous devez, deviez; il deivent.

A few words about infinitives and past participles. It is one of the most curious characteristics of the Year Books that while the clerks know their participles with respectable accuracy, they go wrong on their infinitives. They will put *tenu* although they may write *tener* for *tenir*; they *will* put *eu* where instead of *avoir* they write *aver*.⁷⁰ As far as the infinitive is concerned, there seems to be some movement towards the first conjugation, that is, the infinitive ending in -er. *Vestir* (to vest) and *servir* (to serve) are often written *vester* and *server*. *Oir* (to hear) becomes *oyer*, and, although this may at first have been a

ber, of Jean Giono's famous novel. For *demoerge*, see Tanquerey, *op. cit.*, p. 281.

70. See on this Tanquerey, *op. cit.*, p. 396.

mistake, *oir* gradually disappears and *oyer* becomes the common verb.⁷¹ Moreover, in the same way as the clerks confused *recoverer* and *recoverir* (as previously explained) they confused such similar sounding verbs as *contenir* and *continuer* (to contain and to continue), *fonder* and *fondre* (to found and to melt), *remouvoir* and *remuer*⁷² (to remove and to change). Thus "contain", "melt", and "change" soon take on the further meaning of "continue", "found" and "remove", and the participles of both sets of verbs become practically interchangeable.⁷³

In conclusion, attention must be directed to auxiliary and irregular verbs. They occur so frequently that an understanding of a Year Book is impossible without a working knowledge of them. It may be advisable to present the many forms in tabulation in a Table.^{73a}

VI. Some Words and Phrases; The Problem of Translation

Having considered the rudiments of Norman-French grammar, we turn to certain words and phrases which appear in almost every sentence in the Year Books. First, there are the phrases which introduce subordinate

sentences; they are: *si* (if); *coment qe*, *mes qe*, *tut* (although); *tant qe* (*tauntqe*), *avant qe* (until); and *sanz* (*saunz*) *ceo qe* (unless);⁷⁵ *pur ceo qe*, *del heure qe*, *depuis qe* (for, since, because) *por qei* (*pur qe*) (whereby); and *la ou* (whereas). Second, it must not be forgotten that *si* not only means "if" but can also do the work of a special affirmative. *Si est* means "Yes, it is," implying disagreement with a previous statement. Similarly, *si* can be used in another affirmation which is roughly equivalent to the modern French usage of *si* instead of *oui*. Thus *jeo vous dy qe si* means "I tell you that it is so." Third, there are a number of expressions which are purely rhetorical. Pleaders are fond of saying *estre ceo* and *d'autrepart*, of which the sense is "besides" and "moreover". But these words do not generally introduce new arguments. Although lawyers tried to give the impression that they were making new contentions in favor of their clients, they were in fact merely repeating themselves. Fourth, although the usual word for "except" was *excepté*, *estre* could have the same meaning. This *estre*, however, was not an adaptation of *estre* (to be) but of *extra*. Fifth, one must mention the three possible senses of *einz*. It can mean either "in", or

71. The change may perhaps have been quite deliberate. For *oir* had not only some other, though related, meanings (see, e.g., Larousse, *sub voc. oir*) but *oir*, quickly spoken, was also liable to sound like *heir*, a definite drawback in a legal context. On this theory, then, the appearance of *oyer* would not be due to mistake, but due to an intention to avoid misleading ambiguity.

72. Latin: *remutare*.

73. A word may here be said about the so-called "rule of the *s*." Apparently *s* or *x* was added to a past participle without consistency. The plural was often written without a final *s*, while the singular

might have one. And another word on gender. Such a participle as *nee* should not be thought to indicate a feminine only; it can be both masculine and feminine. The final *e* is here used, not to indicate a gender, but to distinguish it from *ne* (not). Similarly *portee*, *donee* often take *ee* in their participle form to mark the sharp accentuation of the last syllable. The acute accent is still centuries ahead.

73a. See p. 215.

74. These forms are absent; the imperfect does the work.

75. These phrases usually govern the subjunctive; the following phrases take the indicative.

TABLE

INFINITIVE	PRESENT	IM-PERFECT	FUTURE	COND-ITIONAL	PRESENT SUB-JUNCTIVE	IMPERFECT SUB-JUNCTIVE	GERUND	PAST-PARTI-CIPLE
<i>1. Auxiliaries:</i>								
<i>avoir</i> (<i>ever</i>)	jeo ay, ai il ad il ad	avoy avoit avoms	— ⁷⁴ out aveimes	averay, avera, avera averoms	averei avereit avemis averiez	eye, ei eit, eyt eioms, aymis	usse eust, ust eusoms, eusoms	eaunt, eyanta —
vous avez	aviet, aviez avoient	avistes	— ⁷⁴	averount	averieent	eitz, eiez	euset, usset euissent	eu
il ount, ont	jeo tuy, soy il est nous sumes vous estes	estoy estoit esteioms estez	fuy, fu fut, fust fumes feutes, fustes furent	serray serra serroms serrez serrount	serrei(oy) serreit serioms serriez serroient	soie, sei soit, seit seioms soiez, seiez seyent, soyent	fusse fust, fusse fussons fusset fuissez fussent	esteant — — — —
il sount	estieent	—	—	—	—	—	—	—
<i>2. Irregulars:</i>								
<i>ester</i> (<i>Latin:</i> <i>stare</i>)	il esta	—	esta, estut	—	—	estoise, estoye	estust	este
<i>aler</i>	il va	—	ala	—	irreit	aille, voyse	alast	ale
	vous il	—	abates alerunt	irrez irrount	irriez —	—	alassent	—

"before" or "but".⁷⁶ Lastly, there are several verbs with a somewhat special meaning. *Bier* means "to wish" or "to intend", its third person plural of the present indicative being *bient*; *utlaer* or *utlager* (Latin: *utlagare*) means "to outlaw"; *ouster* means "to oust" as in the phrase *le demaundaunt est ouste de cel remedie*; *issir* means "to issue"; and *gesir* means "to be extant, to lie", when we speak of the availability of an action: *cet accioun ne gist mye*. This usage of "to lie" must be distinguished from *lier*, the strict meaning of which was "to bind, to attach, to fix" and which is now translated as "to lay." Its usual context is *lier la seisin*: he who claims *seisin* must show how he got it; there must have been either a livery of *seisin* or open enjoyment, including the predecessor's taking of *esplees*. Another useful verb is *cheoir, cheir* meaning "to fall", but which is today translated by "to be". *Ceo chiet en ley* is best rendered "This is a matter of law", rather than "this falls to law". In addition, there are *louer* (to advise), *poser* (to put a case), *tollir* or *toudre* (to take away), and *quider* (to think).⁷⁷

Thus equipped, the reader will not meet undue difficulty in understanding Norman-French. Of course, there are many other words besides those mentioned. Occasionally he will have to seek help in the bulky tomes of Godefroy,^{77a} if Larousse's *Dictionnaire d'Ancien Français*⁷⁸ has not already

76. Observe also *ceins*, *leinz* and *deinz*, meaning "herein", "therein" and "within" respectively. The opposite of *leinz* is *hors*. In medieval law, you are *einz* or *hors*, in or out, meaning in or out of possession—an important difference when possession was nine points of the law.

77. *Tailler* might also be mentioned. It means to cut or to carve (out), so that a fee tail is actually that estate that is carved out of the fee simple. But

provided the key to some obscure expression. But usually the words themselves are quite straightforward, even if their spelling may at first sight hide their meaning. Most of the words, indeed, are the easier because they have become current legal terms. Anglo-American lawyers still use such words as "to aver" or "to avow, deny, demur", "to except", "to prove", "to join issue" or "to traverse". All the vital concepts of procedural law are French, and so are those expressions that describe estates or rights in land. We talk of the "heir", and of the widow's "dower", of the "ancestor" and "ancient demesne", of "estovers" and "profits à prendre", of "remainders" and "estates pur autre vie", of "lessees" and "grantees", of "grantors" and "donors", of "fees simple" and "fees tail". "Of our lawyers as word-makers, phrase-makers, thought-makers, much might be said."^{78a}

But this must not give the impression that medieval lawyers were coining words and phrases for the express, deliberate purpose of building a complete technical language of the law. They used such words as "remainder" or "reversion", not because they had invented them for a specific purpose but simply because *remeindre* or *revertir* were the available words which could adequately express the given situations. Thus, for example, *remeindre* meant "to stay out, to remain out", and, of course, what remained sometimes the phrase is *l'estatut taille cel remedie* where we would translate it as "gives". Very similar is *l'estatut veut qe etc.*, meaning the statute "says" or "states"; *veut* here would take the subjunctive.

77a. Frédéric Godefroy, *Dictionnaire de l'ancienne langue française*, Paris, 1881-99. 9 v.

78. Paris, 1947.

78a. Maitland, *op. cit.*, p. xxxix.

(out) was the estate that would go to the remainderman rather than return (or revert) to the settlor. A similar word was *demorer*, and at first *re-meindre* and *demorer* seem identical when their common meaning is *re-manere*. Indeed, as Maitland pointed out, "it is little more than an accident that we do not call a remainder a demurrer and a demurrer a remainder."⁷⁹ Later, however, lawyers would say that *la parole demoert* for "the case stands over" (from the Latin *loquela remanet*).⁸⁰ And this differentiation and specification of 'remain' and 'demur', 'remainder' and 'demurrer', Maitland argued, "is an instance of good technical work."⁸¹ But may it not be asked that if the distinction between "remainder" and "demurrer" is little more than an accident, how could it also be an instance of good technical work?⁸²

All this brings us to a brief discussion of the still prevalent method of translating Year Book French, a discussion which Professor J. P. Collas recently took up again.⁸³ With the possible exception of A. J. Harwood,⁸⁴ this method has been to translate the French text literally and technically. Thus, as Collas argues, when the Year Book uses such terms as "tort" and "tenement", they are not just those technical terms of art which they are today. "In Anglo-Norman a tenement

was something 'held', a tort was a 'wrong'. . . . The translator of Anglo-Norman renders *tenement* by 'tenement' and not by 'holding' because the meaning of 'holding' is determined for his readers by Agricultural Holding Acts which are wholly irrelevant to the Anglo-Norman period. He avoids 'freehold' in rendering *franc tenement* in order that his readers shall not introduce into fourteenth-century law a contrast with fee simple developed subsequently."⁸⁵ Another example: the word *surmettre* is translated by Maitland as "surmise".⁸⁶ But not only was *surmettre* more ambiguous than "surmise", it was also a rather late form of *mettre sur*, the correct meaning of which cannot possibly be rendered by "surmise". Thus in the phrase "*le tort qe vous mettez sur Willelm*", Horwood⁸⁷ employed "fix on" for *mettre sur*, which Collas calls "healthily inspired". On the other hand, Maitland translated the following two sentences, (i) *encountre sa sute et quant que illi mette sur*, and (ii) *ne vileyne esclaundre ne ly sur mist* (var. *sur ly mist*) as (i) "against his suit and all that he surmised against him," and (ii) "nor surmised villain slander against him."⁸⁸ Now Maitland cannot really have been very happy about "surmise" in either sentence, for its artificiality was only too patent. But what other word could

79. *Op. cit.*, p. xxxviii.

80. *Ibid.*

81. *Ibid.*

82. Maitland went even further and regarded the technical language of the Norman-French as the main bulwark against the Reception of Roman law. "Does it not seem likely that if English law had been more homely, more *volksthümlich*, Romanism would have swept the board in England as it swept the board in Germany?" (*Op. cit.*, p. xxxvi.) Similar ideas have been expressed by Holdsworth, *HISTORY OF ENGLISH LAW*, vol. 2, p. 480; Turner,

BREVIA PLACITATA, p. xxxvii; and Woodbine, *op. cit.*, 18 *SPECULUM* 395.

83. Cf. his Introduction to *Y.B. 12 Edw. II* (Selden Society vol. 70).

84. See, e.g., his edition of *Y.B. 30-31 Edw. I* in the Rolls Series.

85. *Ibid.*, p. xx.

86. Cf. Maitland, *op. cit.*, xxxvii.

87. *Y.B. 30-31 Edw. I* (Rolls Series) 267.

88. *THE COURT BARON* (Selden Society vol. 4), p. 28.

he have employed without giving what he may have regarded as too "free" a translation? Could he, for example, in the latter sentence, have used the phrase "heap on", so that the sentence would have run that he (the defendant) "heaped no vile (or villainous) slander upon him (the plaintiff)"? Although "heap on" may sound a little strange, it does carry the sense more adequately as it reveals the full flexible flavor of *surmettre*, at least in this particular context. This point, however, must not be taken to suggest that a "free" version is preferable to a "literal" translation; nor, indeed, that we should return to rendering *tenement* by "holding", or use Horwood's "fix on" when ever we are in a "fix". But somehow we ought to be able to contrive an interpretation that will save the rich equivocality of medieval words instead of translating them with words which today have a much more restricted meaning. What, then, would be the appropriate compromise between "free" and "literal" translation? The answer is that we must first know more about the actual behavior of medieval words and their permissible range of meaning. We must do, in other words, what Professor Collas⁸⁹ has just begun to do with the words *atteindre* and *entendre*, namely, to explore their application in a variety of different situations, so that we can discover how flexible the given words really were. What we need, in brief, is a systematic and comprehensive glossary of Eng-

lish synonyms of Year Book words. But this is principally a task for the philologist to undertake; it is a field where the philologist must come to the rescue of the legal historian.

VII. Later Developments

Enough has been said of the classical law-French as used in the Year Books of the fourteenth century. These Year Books continued, as is well known, until the reign of Henry VIII. They petered out in 1535⁹⁰ and their place, two generations later, was taken by another long series of private, though no longer anonymous, reports such as Plowden,⁹¹ Brooke,⁹² Bellewe,⁹³ Coke⁹⁴ and many others. But even long before the Year Books finally ended, the quality of their French had undergone significant changes for the worse. The best known illustration of this linguistic decadence is the report of 1520⁹⁵ in which the question was whether the seizure of a dog amounted to an actionable trespass. Counsel argued that whenever a person caused deliberate damage to the plaintiff, the latter had an action in trespass for his loss; and then proceeded to show that even the seizure of a dog could constitute actionable damage: *car coment que cet chien soit chose de plaisir, uncore il est profitable pur hunting, ou par ma recreacion. Car si j'ay un popingay ou thrush, que chante et refraische mes esprits, ceo est grand confort a moy, et donc si aucun prend ceo de moy, il fait a moy grand tort.* Clearly, the speaker and the reporter could not be troubled to search for the

89. Collas, *op. cit.*, p. xxi, at footnote 83.

90. Cf. Plucknett, *op. cit.*, p. 258; also Holdsworth, *op. cit.*, vol. 2, p. 532.

91. Plowden's reports were first published in 1571.

92. First published in 1578.

93. First published in 1585.

94. Publication started in 1600.

95. *Y.B. 12 Henry VIII* (1520), 3; excerpt transcribed in the following by the author.

French equivalents of "hunting", "popinjay" or "thrush"; and, indeed, even if he had thus found the words *chasser* or *chasse*, "popinjay" and "thrush" would probably have required more extensive researches into Anglo-Norman ornithology.

Yet worse was still to come. While sixteenth century law-French was merely decadent, its seventeenth century counterpart became degenerate.⁹⁶ A typical illustration is *Haught. semble a disallower ceo car il shake son capit al ceo;*⁹⁷ or, better still, the famous statement that *la condemme . . . ject un Brickbat a le dit Justice que narrowly mist, & pur ceo immediately fuit indictment drawn per Noy envers le prisoner, & son dexter manus ampute & fix al Gibbet sur que luy mesme immediatement hange in presence de Court.*⁹⁸ Nor was such linguistic nonsense the privilege only of the "bad" or ignorant reporter; even the learned lawyer did not write appreciably better French.⁹⁹ Many examples could be given, but the reader must be referred to Rolles' Reports where he will find both awful and amusing instances of this degenerate jargon on almost every page.¹⁰⁰

Here we must ask the more important question why this decadence set in in the sixteenth century, if, indeed, not earlier. Did not John Palsgrave in 1530 publish his great work

*L'Esclaircissement de la Langue Françoise*¹⁰¹ where he suggested that we must *folowe the Parisyens . . . where the tonge is at this day moost parfyte, and hath of mooste auncyente so contynued?* And when, at this time, the "barbarous tong and old French, whych now serveth to no purpose" was bitterly denounced, did not "moderate reformers of the Inns of Court"¹⁰² propose a return to good French? Why, then, do we get this decadence at the precise moment when Frenchmen were turning away from the "*vulgaire français*" and were beginning a linguistic renaissance with the *Defence et Illustration de la Langue Françoise*, under the auspices of Jochim du Bellay and Ronsard?¹⁰³ There are two broad answers to this question, and we must attempt to give them.

In the first place, it must never be forgotten that French was always only one of three languages in England besides Latin and English. Latin was of very limited and specialized application and never became a popular language. The Norman (and Normanized) upper classes did not understand it:¹⁰⁴ what they spoke was French. As regards English, it remained the idiom of the broad mass of the people and especially of country people. Yet Ranulf Higden (writing in the fourteenth century)¹⁰⁵ could

96. "Decadent" and "degenerate" are the words used by Sir Frederick Pollock in his *FIRST BOOK OF JURISPRUDENCE* (3d ed., 1911), p. 294.

97. *Hudson v. Barton*, 1 Rolle's Reports 189; 81 Eng. Rep. 422.

98. Dyer's Rep. 188b, Pas. 37 Eliz.

99. See, e.g., the reports of Latch and Moore. Latch is generally regarded as perhaps the worst reporter.

100. See, e.g., *White v. Brough*, 1 Roll. Rep. 287; 81 Eng. Rep. 489.

101. On this book (as well as of the use made of it by modern philologists), see Pope, *op. cit.*, p. 38, 42, *passim*.

102. Maitland, *op. cit.*, p. XXXV; and see also his *ENGLISH LAW AND THE RENAISSANCE*, p. 43, 72.

103. See Pope, *op. cit.*, p. 42.

104. Studer, *op. cit.*, p. 7.

105. *POLYCHRONICON* (Trevisa's translation, London, 1869), vol. 2, p. 159, 161. Higden was a very shrewd observer of contemporary conditions and his comments are both reliable and illuminating.

still comment on the way country folk would imitate their betters by trying to speak French.¹⁰⁶ This had another significance which Higden also pointed out.¹⁰⁷ Compared with French, English was far from being a uniform language and was in fact subject to a wide variety of local speech: "a man of Kente, southern western and northern men spaken French *al lyke* in sounē and speeche, but they can not speke theyr Englyssh so." In this way, French amounted to a *lingua franca* that cut across parochial barriers; it was thus one more element in the political and administrative unification of the country.

But the loss of Normandy early in the thirteenth century had led to profound changes in the relations between England and France; and this in turn brought English gradually to the forefront as a popular language.¹⁰⁸ Already in 1258, Henry III's proclamation to "all his faithful, learned and lay" was both in French and English, a phenomenon that could

106. As Higden (or rather Trevisa) put it on p. 161: "gentil men children beeth i-taught to speke Frenshe from the tyme that they beeth i-rokked in here cradel . . . and uplondisshe men (*rurales*) wil likne hym self to gentil men, and fondeþ with greet besynesse for to speke Frenſce, for to be i-tole of." Indeed, English was first compared by the Normans to the bark of dogs, Studer, *op. cit.*, p. 10.

107. *Op. cit.*, vol. 2, p. 161.

108. See generally, Pope, *op. cit.*, p. 421; but see Vising, *op. cit.*, p. 20, 22, *passim*, for the view that not the secession from the continent, but the influx of many Frenchmen to the court of Henry III caused the recovery of English as a manifestation of the new nationalism then developing in England.

109. Nicholas de Bozon published his famous *Contes* in French; and similarly *Richard Coeur de Lyon* appeared in French and did not appear in English translation until the end of the 14th century. See Vising, *op. cit.*, p. 15-18; for earlier Norman-French masterpieces, see Studer, *op. cit.*, p. 7.

110. Oxford students were encouraged to speak and spell French; cf. Rashdall, *UNIVERSITIES OF*

hardly have been possible under Henry II. Nevertheless, for the time being, French still remained predominant in literature,¹⁰⁹ education,¹¹⁰ law and at the court.¹¹¹ Indeed, in legal literature, the use of French increased, since it replaced Latin in official documents such as the Statute and Parliament rolls. The treatises of Bracton and Fleta are still in Latin, but Britton appeared in French.¹¹² Perhaps the main reason why French was used in the new rolls was the fact that, as compared with Latin and English, it was the most convenient idiom. Latin was the language of the very learned, and English was the language of those regarded as ignorant; between them, French was the only practical alternative.¹¹³

However this may be, in the fourteenth century Anglo-Norman was on the way out as a popular language.¹¹⁴ Thus petitions to Parliament began to be presented in English, and this also became the language of its proceedings.¹¹⁵ As from the accession of

EUROPE, vol. 2, p. 459; see also Pope, *op. cit.*, p. 422; Vising, *op. cit.*, p. 17.

111. French remained in constant use until the reign of Henry IV, the first English king whose mother-tongue was English. For an interesting example of royal correspondence in excellent Anglo-Norman, see LES LETTRES DU ROI EDWARD IER (Tanguerry's ed., Paris, 1939).

112. See Winfield, *op. cit.*, p. 9.

113. Observe that it was the more practical idiom because of the fact, noted above, that it had become a kind of *lingua franca*; at any rate, it would seem that most people were then bilingual; Studer, *op. cit.*, p. 10. French was also the vernacular of the Jews until the expulsion in 1290, as well as the language used by the Guild Merchants up to the middle of the fifteenth century, see Studer, OAK-BOOK OF SOUTHAMPTON, p. 8.

114. Legge, *op. cit.*, p. xliv.

115. See Froissart's statements, MS. de Rome, vol. 1, p. 360; see also Legge, *op. cit.*, p. xliv. English was used for the opening of Parliament in 1363 and again in 1365, but not in 1377; cf. Stubbs, CONSTITUTIONAL HISTORY, vol. 2, p. 434.

Richard III, this development had gone so far that even the statutes were henceforth enrolled in English. In 1362 an Act of Parliament had already tried to replace *la lange du pais* for *la lange français qest tropé desconue*.¹¹⁶ This statute, however, was, as Maitland has said, only "tardily obeyed, and indeed it attempted the impossible."¹¹⁷ It was in fact a premature command because it was only then that a uniform and national English idiom started to evolve. For this was the age of Chaucer and William Langland and Wyclif; it was the time when English first came into its own and when, after prolonged contact with Danish and French, it had "rubbed off the inflections of Old English" and had become "taut, supple, simple."¹¹⁸ But how fast and how far English triumphed over French is still a matter of some doubt; one view is that French ceased to be a living language long before the end of the fourteenth century and that it was confined to the law, chronicles, treatises and sermons;¹¹⁹ on the other hand, there is some evidence to show that French remained even a privately spoken language until the early years of the fifteenth century.¹²⁰ Be this as it may, it must certainly be clear that once English had begun its astonish-

ing career, its ultimate and complete success was merely a matter of time, and indeed of a relatively short time. Moreover, with French gone as a living language, English was also bound to breach the ramparts of legal French.¹²¹ For although lawyers would continue to use Year Book French, this must have been an alien and at best an isolated language, as well as a language condemned to a static state, since it could no longer be replenished from a living source. Furthermore, since the law was growing and had to cover new and different situations, legal language had to develop, too: in England, however, the natural and necessary conditions for this growth of language were no longer there. Of course, the legal apprentice of the fifteenth century could have been sent to Paris in order to acquire proficiency in French; but this may have been too extraordinary a demand, especially in the case of a profession certainly less cosmopolitan than that of churchmen or philosophers.¹²² At any rate, close cultural contacts with France may have changed profoundly the nature of English law; it would have ushered in a development that later took place in Scotland.

This brings us to our second an-

116. 1 Statutes of the Realm 375 (not repealed until the Statute Law Revision Act, 1863). Pleas were to be pleaded in English but enrolled in Latin; on the other hand, nothing was to be changed in the laws and customs, terms or processes that had obtained before.

117. Maitland, *op. cit.*, p. xxxiv.

118. Rouse, THE SPIRIT OF ENGLISH HISTORY (London, 1943), p. 43.

119. Legge, *op. cit.*, p. xlivi.

120. See the remarks of H. G. Richardson, 50 LAW Q. REV. 578 (1934). For the evidence, see Rymer's FOEDERA, part V (several letters in Norman-French up to 1440); Tanquerey, RECUEIL DE LETTRES ANGLO-FRANÇAISES.

121. The indications are that the ramparts were begun to be breached by the middle of the fifteenth century; see Bolland, MANUAL OF YEAR BOOK STUDIES (Cambridge, 1925), p. 107, for a fuller discussion.

122. In the fifteenth century English lawyers would no longer go to Bologna as Bracton did in the thirteenth. Moreover, it must be noticed that the language barriers were becoming most important; they spoke no Latin, and even Anglo-Norman had by this time achieved the status of a separate language very different from Continental French. Young gentlemen, although they knew English and "bon norman", had to be taught French before going to Paris; the DIALOGUES FRANÇAIS (1415) was a little book for just this purpose; see on this Studer, *op. cit.*, p. 12.

swer. For in addition to the emergence of English, there was yet another factor which brought about the decadence of French. As we have seen, the Year Books were concerned with oral pleadings. These oral pleadings were gradually replaced by written pleadings. How this occurred is still shrouded in some mystery, since we still know far too little about the Year Books of the fifteenth century. But in the sixteenth century written pleadings seem to have been firmly established, especially in real actions; and for the seventeenth, Roger North's words are most interesting: "But, now, the pleadings are all delated in paper . . . and when causes, which they call real, come on, and require counting, and pleading at the bar, it is done for form, and unintelligibly; and whatever the Serjeant mumbles, it is the paper book that is the text."¹²³

Now what is the precise significance of this procedural change? For one thing, once the (oral) pleadings were transferred to the "paper books", the remaining proceedings in court could only be confined to argument, that is, argument usually about the merits or issue of the case. But in an argument about the substantive merits of a case, you are bound to draw upon all available resources of analogy and persuasion, and this will require considerable rhetorical effort in a fluent and effective language. This, however, had become impossible within the comparatively narrow confines of four-

123. LIVES OF THE NORTHS (1826) vol. 1, p. 30. On Roger North, see Holdsworth, *op. cit.*, vol. 6, p. 619.

124. See on all this Holdsworth, *The Development of Written and Oral Pleading*, 22 LAW Q. REV. 360, 380 (1906). On the introduction of written pleadings, see *ibid.*, p. 370; also Reeves, *HISTORY OF ENGLISH LAW*, vol. 2, p. 619. Reeves thought that

teenth century Year Book French, and it had also become impossible because lawyers were no longer able to depend upon the resources of a living French. Hence a sporadic and occasional use of English was inevitable, and gradually what was an exception was to become the rule.¹²⁴ This requirement for English must have been especially true in the case of personal actions, for which the Year Books had not evolved as detailed a system of special pleading as in the real actions.¹²⁵ Of course, had the common law refused to develop, law-French would certainly have remained quite pure; as it was, the law had to go beyond its earlier forms of actions and with it also beyond its earlier forms of speech.

From all this another question follows. It may be asked why the later common law did not abandon law-French, its inadequacy having become blatantly apparent. One reason is that in the fifteenth and sixteenth centuries, the common law was still predominantly the law of real actions in which almost every concept was expressed (*taille*) in French; so that when English finally took over, it adopted a large stock of French. Another reason is that the lawyers were then building on, and not away from, the express foundations of the fourteenth century and they perhaps regarded English as little more than an auxiliary, in the same way as they regarded equity as no more than a supple-

the rules of pleading became fixed and formal by the time of Henry VI and Edward IV, although written pleadings were not fully established until the reign of Elizabeth.

125. The reason perhaps was that what was later called the "general issue" could be pleaded in personal actions, whereas the pleading in real actions always remained more "special".

mentary jurisdiction. In other words, English followed law-French as equity followed the law. Nevertheless,—apart from real actions and moots in the Inns of Court,—the fate of spoken French was sealed.

On the other hand, written law-French retained an agonizing and curious vitality. All the new reports¹²⁶ in the sixteenth century were in French, and of Plowden and Dyer, there were no English translations until 1761 and 1794, respectively. In the seventeenth century, Sir Edward Coke greatly disliked the passing of French, but he wrote his Institutes in English;¹²⁷ his reports, however, were written in French. Keilway (1602) and Davis (1615) are in French, but Hobart (1641)¹²⁸ is the first report in English: the first rumblings of the Long Parliament which began in 1640. In 1650 there was Oliver Cromwell's statutory reform which ordered all reports, resolutions of the judges and law books to be translated into English and those published after 1649 to be printed only in English. Moreover, they were to be written in "an ordinary, usual and legible hand", but not in court hand. The statute was repealed with the Restoration; yet during this decade there appear ten reports of which two were originally written in English and all the others, though written in French, were immediately translated by the editors. After 1660, Benloe (1661), Jenkins (1661), Yelverton (1661), Latch (1663),

Jones (1675), Rolle (1675-76), Savile (1675), Palmer (1678), and Siderfin (1683-84) are again published in French. But after Hardres (1693), which is in English, the French reports lose out; and with only a few exceptions,¹²⁹ all the eighteenth century reports are in English.

Thus English had gained, or was rapidly gaining, very firm control. A statute of 1731,¹³⁰ which ordered again the peremptory use of English instead of what was now unintelligible French, perhaps merely confirmed an established situation. But two years later,¹³¹ the sweep of this command was tempered in order to allow the official usage of such phrases as *nisi prius*, *fieri facias*, *habeas corpus*, etc. These Latinisms had resisted "anglicization", and had become so integral a part of legal terminology that no spurt of "Englishry" could banish them with any promise of success. Another factor determined the complete triumph of English over French. This was the new development of a new English law which was radically different from the Anglo-Norman climate of the Year Books. There began, in the eighteenth century, a new law of contracts, and, in particular, commercial contracts; there evolved, in the late eighteenth and in the nineteenth centuries a new law of torts, i.e., torts which was no longer an offshoot of the fertile action of trespass; there was a new and growing law in every field, not least the enormous

126. See on all this, Wallace, *THE REPORTERS* (4th ed. Boston, 1882); Veeder, *The English Reports, 1537-1865*, 15 HARV. L. REV. 1, 109 (1901); Holdsworth, *HISTORY OF ENGLISH LAW*, vol. 5, p. 355; vol. 6, p. 551.

127. See the Preface to the *INSTITUTES*.

128. These and the following figures state the date of first publication.

129. Only a few reports in the eighteenth century are published in French: Saunders (1686); Lutwyche (1704), Levinz (1702) and T. Jones (1695).

130. 4 Geo. II, c. 26.

131. 6 Geo. II, c. 14. See also 6 Geo. II c. 6.

body of legislation which had to be digested by the law courts. New ideas, new principles, new books now held sway, and for all of these the natural linguistic vehicle was English. What had happened before the eighteenth century became, broadly speaking, antiquarian stuff and the concern of the legal historian; what happened after, became part and parcel of modern English law.¹³²

VIII. Conclusion

Let us try to take stock of this long journey. Are lawyer and law-French really "co-incident"? Is (or was) the Law "scarcely expressible properly in English"? Or, more generally, what is the contribution of French to the history of English law?

The answer is that French is as much a part of English law as it is a part of the English language. Thus French is as much a part of English law as it is of English cooking: for example, "reversion", "remainder" or "demur-er" are now as thoroughly assimilated as are "pork", "beef" or "mutton". French is also part of English institutions to the extent that the "crown" or "parliament" are English; in short, it was the operative language of an age when the foundations of English society were laid.

As long, therefore, as Anglo-Norman was a living language, lawyer and French were certainly "co-incident"

simply because there was no other practicable linguistic medium. It was only when Anglo-Norman gradually gave way to English that a conflict between the two idioms could possibly arise. This conflict was bridged by the emergence of "law-French", a language which preserved the general framework of an earlier vocabulary and syntax but added to it the spices of new vernacular speech. Historically, law-French thus constitutes a compromise that was unconscious and inevitable precisely because there was transition. By the time, however, English had become a full and flexible language, there was no further need for what was now corrupted French. And there was no need for it because English had appropriated all the necessary French expressions, and also because it became ludicrous to say, e.g., *Je porte un accioun* instead of "I bring an action." Such mannerisms long persisted, indeed too long persisted, and their persistence can only be explained by a curious psychology of lawyers that mistook inertia for tradition and linguistic graces for professional skill. However we may look at it, the law had become as "properly expressible" in English as were more sophisticated situations "properly expressed" by Shakespeare or Milton.

132. See Maitland, *Why the History of English Law Has Not Been Written*, in *COLLECTED PAPERS* (1911), vol. 1, p. 480, and Plucknett's comments thereto in *Maitland's View of Law and History*, 67 LAW Q. REV. 179, 182 (1951).

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Southern Law School Libraries*

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Although it is generally pleaded of record that the library is the heart of a properly conducted law school, little or no effort has been made to determine what existing libraries in fact contain nor how they are operated.¹ During the fall of 1953 an endeavor was set on foot at the University of Alabama to obtain information as to the resources and operations of the libraries maintained by the other accredited² southern³ university and college law schools. Some, though not always complete, data⁴ was obtained from each of the 31 institutions in the region lying below the Potomac and the Ohio and extending west through

Oklahoma and Texas. Of these, 15 were supported by the several states and 16 by either local governments or private persons.⁵

The enrollment⁶ in all of these schools ranged from 50 to 1026, with an average of 196 and a median of 132. In the state schools the average was 194 and in non-state schools 198. However, this latter average was distorted by the fact that in one non-state school the student body was almost double that of any other school and the median number of students in state schools, 150, was somewhat larger than the median of 125 in non-state schools. An analysis of the distribution of

* A summary of a report to be presented before the meeting of the Southeastern Regional Conference of the Association of American Law Schools in Columbia, S.C., on August 28, 1954. The report is accompanied by statistical tables too voluminous to be printed. A few manuscript copies of the complete report are available for loan to interested parties from the author.

1. The libraries of the practicing bar have been covered by Roalfe, *The Libraries of the Legal Profession* (1953), as a part of the American Bar Association's Survey of the Legal Profession. No similar study of law school libraries has been conducted. The information assembled by Gallagher and Wallach in *Law School Library Statistics*, 45 LAW LIB. J. 172-3 (1952), is helpful but is far from complete and has not been subjected to analysis.

2. By the Association of American Law Schools.

3. These universities and colleges were located geographically as follows: West Va. 1; Va. 4; N. C. 3; S. C. 1; Ga. 3; Fla. 3; Ala. 1; Miss. 1; La. 3; Tex. 4; Okla. 1; Tenn. 3; Ky. 2; Ark. 1. These schools constitute slightly more than one-fourth of all accredited schools within the continental limits of the United States.

4. It was initially apparent that the task of assembling information presented considerable difficulties. Although help was obtained from law school catalogues and from such standard reference guides as the *Teachers Directory*(A.A.L.S.) (1952-3) and

Law Libraries in the United States and Canada (A.A.L.L.) (1952), primary reliance was rested of necessity upon a questionnaire submitted to each of the institutions surveyed. Since cooperation was entirely voluntary and many institutions maintained only limited records, it was not feasible to demand highly detailed information nor could a completely uniform statistical base be assured. An especially serious problem was presented by the wide variations in the operations of some libraries from year to year. Finally, within these limitations it was impossible to hope to make qualitative comparisons of even greater importance than those which were quantitative. Despite these restrictions, it was felt that information sufficiently valuable to justify the project could be obtained by the use of a limited questionnaire. The period for which information was requested was the year July 1, 1952 through June 30, 1953 (or the nearest fiscal year) and informants were asked to state whether the data furnished was reasonably typical. Where atypical situations were indicated an effort was made to reconstruct the data to give average results.

5. The former are hereafter referred to as state schools, the latter as non-state. Where the term "state library" is employed it means a library in a state supported school, not a legislative or public law library to which the term is sometimes applied.

6. See Appendix, column v.

schools into several size categories also indicates a somewhat larger size of student body for state schools.

Any correlation between enrollment and size of the library was apparent only at the extreme upper and lower levels. Of the six schools with student bodies of less than 100, one had a library numbering 38,189 volumes, while in the remainder all the libraries had less than 24,000 volumes. At the other extreme, of the four schools having 300 or more students, three had libraries in excess of 50,000 volumes and the two southern law school libraries of 100,000 volumes or more were maintained by such institutions. However, it should be noted that two of the four largest libraries were maintained in schools having enrollments of 132 and 117 respectively and that one school having more than 200 students possessed a library of less than 30,000 volumes. In general, it appeared that although there was a tendency for the largest schools to have large libraries and for the smallest schools to have small libraries there was otherwise little or no relation between enrollment and the number of books available.

Size and Rate of Growth

The number of volumes claimed⁷ by the several libraries ranged from 19,749 to 101,293, with an average of 41,988 and a median of 30,299. In state schools the average was 49,273 and the median 38,189. For other schools the

7. See Appendix, column d. The size was determined by the number of volumes reported as of June 30, 1953. I have elsewhere commented upon the very unsatisfactory character of book counts. See, Payne, *Law Library Standards—A Reply*, 5 J. OF LEG. ED. 197 (1952). From personal experience I can state that the count claimed by some southern law libraries is deceptive as to the true resources of

average was 35,160 and the median 24,731. The reason for this difference became apparent as soon as the libraries were grouped into size classes. For this purpose libraries with 29,999 volumes or less were classified as small, those from 30,000 to 49,999 as medium-sized and those of more than 50,000 as large.⁸ Of the 13 small libraries, 10 were in non-state institutions. In the medium group of 10 libraries, seven state-supported institutions predominated. Of the eight large libraries, five were state supported and three were non-state supported. Moreover, out of the five libraries having the largest number of volumes, including the two numbering in excess of 100,000 volumes, four were in state schools. As will be shown in the course of this study, this concentration of non-state libraries in the lowest size category was of importance because, although the six large and medium-sized non-state supported libraries compared favorably with those which were state supported, the general averages for all non-state institutions were generally carried below those of state institutions by the presence of this group of marginal libraries.

A major cause for the distortion of the book count in a law library is the system of state and federal depositories. Although many of the deposited documents are of considerable value, the great bulk may be of little or no significance, particularly to a law library, and is most often found in

these libraries and I suspect that such a situation is not limited to this particular locality. But however unsatisfactory the data available for the time being, it is employed of necessity as nothing better is obtainable.

8. The same classification system was employed uniformly in analyzing all data employed in this survey.

pamphlet form. The consequence is that a depository may greatly increase a library's count without a commensurate increase in its true resources. However, if a depository is maintained by the main university library in reasonably close proximity to the law library, the effect is just the opposite; that is to say, there is a considerable increase in the law library's true resources without any increase in the book count. In analyzing any library, therefore, it is necessary to take into consideration whether the institution of which it is a part maintains a depository and, if so, where the deposited documents are physically stored. It was found that in only three of the schools surveyed, all non-state institutions, was there no depository.⁹ Libraries in these schools numbered from 21,250 to 28,032 volumes. Of the 28 institutions maintaining a depository, one state school, having a law library numbering 88,463 volumes, placed all deposited documents in the law library. In five state and two non-state schools all deposited documents were placed in the main university library. Although the largest library in the region was operated in an institution having such an arrangement, the remaining six schools where it was employed had law libraries numbering only from 21,871 to 31,000. Thus, in nine of the 18 schools having law libraries of 31,000 volumes or less there was no depository or all deposited documents were placed in the main university library. This information was sufficient to fortify the rather obvious assumption, already referred to, that the book count in a given library may be seriously distorted by the ex-

istence and form of maintenance of a depository. Unfortunately, nine state schools and 11 non-state schools reported merely that some documents were deposited in the main library and some in the law library and any additional analysis would have required detailed qualitative evaluations beyond the limited scope of the present survey. However, it is hoped that the information already obtained is sufficient to indicate the need for further study designed to establish criteria by which deposited documents may be uniformly treated in law library evaluation.

In terms of the future, the growth rate of a library may be more significant than its present size. In absolute terms the largest number of books added to any one library during the year covered was 9,858 and the smallest 371, with an average for all schools of 2,218 and a median of 1,556.¹⁰ For all state schools the average of 2,361 and the median of 1,800 were both larger than the average of 2,074 and median of 911 for all non-state schools. However, these averages do not take into consideration the larger average size of the state libraries. Although the average and median number of volumes added to small state libraries were both larger than the average and median for non-state libraries, the average number added to both medium-sized and large state libraries were smaller than the number added to non-state libraries, and the median number was smaller in the case of medium-sized libraries. An analysis of the rate of growth in proportion to the size of the library supports this finding. For this purpose the number

9. See Appendix, columns f and g.

10. See Appendix, column c.

of books added to each library during the year was divided by the number of books in the library at the beginning of the year. The ratio obtained ranged from .017 to .197 with an average for all schools of .055 and a median of .087.¹¹ The average and median for all state schools were .050 and .040 as compared with an average of .061 and a median of .034 for all non-state schools. Although among the small state libraries the average and median rates of growth were significantly higher than comparable rates for non-state institutions, the rates for medium-sized and large non-state libraries generally exceeded those for comparable state institutions. Three state supported and two non-state supported libraries maintained rates of growth in excess of .010. Of these, two, having rates of .197 and .192 respectively, were in the small class, two with rates of .136 and .127 were in the medium class and one, with a rate of .164, was in the large class. On the other hand, four state and five non-state libraries had rates of growth of less than .030. Of these, three, all non-state schools, with rates of .017, .025, and .028 were in the small category; three, all state schools, with rates of .023, .024, and .029, were in the medium category; and three, two non-state schools and one state school, with rates of .025, .025, and .028 were in the large category. In general the most rapid relative growth was indicated in the medium-sized libraries, with the small libraries next and the large libraries last, the

11. See Appendix, column e.

12. See Appendix, column h. Sums spent for capital items were eliminated and only operating expenses and expenditures for books and materials were considered. Even after these adjustments the data obtained was not completely satisfactory. In two institutions the salaries of faculty directors of the

average and median rates for these groups being as follows: medium, .066 and .057; small, .062 and .038; large, .055 and .032.

Financial Support and Expenses

Information was obtained as to the total actual expenditures made by each library during the given year.¹² For all libraries the minimum sum expended was \$5,880 and the maximum \$67,213, with an average of \$22,193 and a median of \$14,673. For state schools the minimum of \$5,880, maximum of \$50,618, average of \$25,185 and median of \$25,545 compared with the minimum of \$7,984, maximum of \$67,213, average of \$19,401 and median of \$12,553 for non-state schools. As in other cases, this apparently disadvantageous position of the non-state institutions was the result of the disproportionate number of small libraries in this class. Although among the small libraries the average and median expenditures for state schools are both larger than those for non-state schools, in both other size classes the average expenditures for non-state schools is larger than for state schools and the median support is larger in the medium-sized non-state schools.

One of the best methods of determining the relative financial support enjoyed by a library is to determine the amount spent per book already acquired. For this purpose, the total expenditures for the year were divided by the total holdings in that library at the beginning of the year. Thus, if

library were not carried in the library budgets. In other libraries some expenses, such as binding and cataloging, were assumed in whole or in part by the main university library. For these reasons it was impossible to obtain a completely uniform basis for computations. It will be impossible to cure this defect until a consistent system of accounting is adopted by all libraries.

a library of 20,000 volumes spent \$10,000, the amount spent per book would be \$0.50. For all the libraries surveyed this figure ranged from \$1.23 to \$0.28, with an average of \$0.54 and a median of \$0.45.¹³ Reflecting the previously noted relatively larger expenditures for non-state schools, the average and median for these institutions, \$0.57 and \$0.47, were slightly higher than the \$0.52 and \$0.45 average and median for state schools. In this case also the average support given small state libraries was larger than that given non-state libraries although the reverse was true in the medium-sized and large libraries. In each instance, however, the relation between the medians was the opposite from the relation between the averages, the small non-state libraries having a median larger than that of the small state libraries and the medium-sized and large state libraries having a median larger than that of the medium-sized and large non-state libraries.

The source of funds employed by all classes of schools was generally the annual university appropriation.¹⁴ In only two schools was an endowment income of significant amount, in one case \$2,225 and in the other an accumulated sum of \$5,987, applied directly to the library budget. In only three schools were appreciable gifts received, the amounts being \$1,080, \$2,770 and \$7,500. A library fee, ranging from \$8.00 to \$40.00 per school year was charged in five schools. In one case the sum thus collected went into the general university fund. In only two cases was the amount of receipts from these fees reported, in one

case amounting to \$5,000 per annum and in the other \$34,650. In the latter case the total expenditures of the beneficiary library were the largest reported in the region and the receipts from the library fee amounted to more than half of the entire amount spent.

Administration

Each library was queried whether it operated independently of the main university library, whether it was non-autonomous within a general university library system or whether the law library was completely independent. Three libraries, all located in state supported schools, indicated that they were fully integrated with the main university library. In size these libraries ranged from 30,000 to 30,299. Fifteen libraries, three in state supported schools and 12 in others, operated entirely independently. Of the state supported schools in this category all were larger than 50,000 volumes. Of the non-state supported schools in this category three were in the large library class and the other nine in the small class. Nine state supported libraries operated autonomously. Three of these were small, four medium-sized and two large. One small and three medium-sized non-state supported libraries operated autonomously. The impression gained from this analysis is that state libraries generally showed a much higher degree of integration with their main university library systems than non-state libraries, that complete integration has been attempted only in a few of the smaller schools and that as between autonomous and independent operation, the

13. See Appendix, line i.

14. See Appendix, lines j-m.

size of the library does not seem to exercise a decisive influence.

In two cases, one a large and the other a medium-sized non-state school, faculty directors supervised the operations of the library. These directors in both cases were recognized scholars and members of the regular teaching faculties. In both of these schools faculty library committees were also in existence. In eight other non-state libraries (six small, one medium-sized and one large) faculty library committees were used. Similar committees were found in eleven state schools (two small, five medium sized and four large). The function of the library committees was generally listed as "advisory", "determination of overall policy" and the like. In four state libraries (one small, two medium-sized and one large) and in five non-state libraries (four small and one large) no committees were in operation. In one medium-sized non-state library a faculty advisor acted in lieu of a committee.

Cataloging

Twenty of the 31 libraries were reported to be completely cataloged and in one other cataloging was said to be 99% completed. Of the remaining 10, six, divided equally between state and non-state supported institutions, were uncataloged and gave no indication as to future plans to carry out such a project. Of these, the non-state libraries were all in the small class. Of

15. Reference has already been made to the existence in two schools of faculty directors of the libraries. Because of their anomalous position they were excluded from consideration in the following analysis. A number of factors made it impractical to distinguish between professional and non-professional personnel. For this reason all full-time employees were classified either as head librarians or as other employees. In determining qualifications, status and compensation only data for head librarians was considered.

the uncataloged state libraries one was small and the other two large. In one large non-state library cataloging was 90% completed and in two medium-sized state and one small non-state library cataloging was either in progress or was planned in the immediate future.

Personnel and Salaries

Information was obtained as to the number, degrees, faculty status and compensation of all full-time employees¹⁶ and as to the number of student assistants in the several libraries. All of the institutions employed at least one full-time librarian. Both the number of full-time employees and the number of student assistants used in a given library varied excessively and without apparent reason. The maximum number of full-time employees, found in one of the large libraries, was eight. However, in two of the large libraries only one full time librarian was employed.¹⁷ Other large libraries had two, four, five or six full-time employees. In both the small and medium-sized libraries the same lack of consistency appeared, the number in each case ranging from one to four. The number of student assistants employed varied from one to 20, with no apparent correlation between the number of such assistants and the number of full-time employees.¹⁸

In terms of the formal status¹⁹ of the librarian, possession of a law de-

16. One of these libraries also had a faculty director.

17. The statistical base available was too narrow to make further analysis in terms of state and non-state libraries fruitful.

18. Those having faculty status were classified by their rank in conventional academic order. In three cases it was indicated merely that the librarian had "faculty status" or "modified faculty status", without any indication of real or assimilated rank.

gree¹⁹ was apparently more important than the possession of a library degree. Only three librarians were qualified with both these degrees. Of these, two were assistant professors and one had no faculty status. Of the 13 librarians having law but no library degrees one was a professor, two were associate professors, three assistant professors, two instructors, two had "faculty status", one had "modified faculty status", and two had no faculty status. On the other hand, nine librarians had only academic and library degrees. Of these, three were assistant professors, one an instructor, one a lecturer and four had no faculty status. Only one of the six librarians without either law or library degrees had faculty status, in that case the rank being that of instructor.

In terms of earned degrees, the formal qualifications of all men librarians were much higher than those of all women librarians. All of the men possessed at least the law degree, whereas only nine of the 24 women were so qualified. This in part accounts for the fact that although all men librarians had faculty status, such status had been given to only 12 of the 24 women librarians. The disparity in status between men and women was much less marked within common qualification classifications. Although three of the nine women possessing either a law and library degree or a law degree only had no faculty status, of the remaining six, two were associate professors, three assistant professors, and one had "faculty status". By comparison, of the seven men with

similar qualifications, one was a professor, two were assistant professors, two instructors, and two had "faculty status". However, in this connection it is necessary to take into consideration the average age of both classes. The employment of men in southern law school libraries is a relatively recent practice. The average age of the eight men librarians for whom data was available was 32.5 years. By comparison the average age for the 19 women for whom data was available was 43 and the average for eight women possessing a law degree was 48.

A further analysis indicated that there was little or no correlation between the size of the library and the qualifications of the librarian. For example, in the eight large libraries two of the head librarians had neither law nor library degrees, three possessed law degrees only, one had law and library degrees. On the other hand, in the 13 small libraries, one librarian had both law and library degrees, five others had law degrees, six had library degrees, and only one was without any professional degree. In the ten medium-sized libraries three librarians had no professional degrees, one had a library degree only, five had law degrees only, and one had both law and library degrees.

Paradoxically, the lowest formal status was given to the librarians in the large libraries. Of eight such librarians, six had no faculty status, one was an assistant professor and one an associate professor. On the other hand the medium-sized libraries gave slightly higher status to their librarians than

19. Formal qualifications were rated in terms of degrees. The top classification was given to those who possessed both law and library degrees; the second to those who possessed law degrees, with or without ac-

companying academic degrees, but no library degrees; the third those who possessed academic and library degrees; and the fourth all others.

the small libraries. In the former class there was one professor, one associate professor, three assistant professors, one instructor, one with "modified faculty status", and three with no status; in the latter, four assistant professors, three instructors, one lecturer, one with "faculty status", and three with no faculty status.

Another apparent paradox was that although the average man librarian had higher formal qualifications and higher status than the average woman librarian, men were employed only in the small and medium-sized libraries. In the large libraries, where there were larger responsibilities and commensurately higher compensation, only women were employed. A possible explanation of this phenomenon is the younger age of men librarians, already alluded to. The large libraries were normally directed by women of long tenure and experience. The fact that currently men librarians lack such experience militates against their employment in such libraries and an alteration in the existing situation may be expected with the passage of time.

Salaries²⁰ paid to librarians ranged from a minimum of \$2,500 to a maximum of \$6,144 per annum, with an average of \$4,209 and a median of \$4,000. In the state libraries the average and median salaries, \$4,631 and \$4,600 were considerably in excess of those paid in non-state libraries,

20. Information was requested as to salaries on a twelve month basis. In some instances it was indicated that the salary was paid on a nine month basis, with extra remuneration if there was a summer school. In none of the latter cases was it indicated that the librarian was assured of summer employment and for this reason the nine month salary was treated as if it were for twelve months. No account was taken of pension, insurance and other "fringe" benefits.

\$3,787 and \$3,780 respectively. In part this may be accounted for by the fact that the salaries of faculty directors of two of the better non-state libraries have not been included in these computations and in part to the generally smaller size of the non-state libraries. This latter factor is significant in view of the increase in the amount of salaries paid with the increase in the size of the library, the average and medians for small, medium-sized and large libraries being \$3,780 and \$3,780; \$4,112 and \$3,750; and \$5,145 and \$5,400 respectively.

Salary-wise, relatively little reward was given for formal qualifications. For those having a law degree²¹ the average and median salaries were \$4,435 and \$4,166, for those having the library degree \$4,051 and \$3,950 and for others \$3,820 and \$3,800.

It has already been shown that on the average men librarians have been better qualified and have higher status than women librarians. However, the average and median salaries paid to men, \$4,134 and \$3,780 respectively, were both below the average and median paid to women, \$4,232 and \$4,000 respectively. It will be remembered that all men librarians possessed a law degree and when the salary paid to all women having a similar degree is taken into consideration, the difference determined is even greater, the average and median in such cases being \$4,668 and \$5,000 respectively.

21. For the purpose of this computation those with law and library degrees were lumped with those having the law degree only. This was made necessary by the small statistical base available and the promise to reveal no salary information in any fashion which would allow it to be identified with a particular individual. The same considerations prevented further analysis in terms of salaries, size of library, and source of support.

This difference is undoubtedly the result of the considerably younger age of the men.²²

Cost Factors

The scope of the survey was insufficient to allow an entirely satisfactory cost analysis. However, the data available was employed to obtain some significant correlations. The first was the relation between the amount spent for books and the total amount of total expenditures.²³ This ratio showed a maximum of .665 and a minimum of .357. The average for all schools was .483 and the median .474. A somewhat smaller overhead was indicated in non-state schools, where the average and median were .501 and .494, than in state schools, where the average and median were .469 and .450. This data indicates the same experience in law libraries which has frequently been remarked in general libraries, that even before storage costs in terms of capital investment are considered, it apparently costs more to process a book and keep it on the shelves than the amount of the book's initial purchase price.

An effort was also made to obtain some idea of the average cost in dollar terms for all books acquired.²⁴ For this purpose the entire amount spent on books was first divided by the number of books acquired to give an assumed average purchase price.²⁵ There is no distinction in library bud-

gets between expenses arising out of processing acquisitions and those attributable to housekeeping. However, in most libraries student assistants carry the brunt of the latter type of activity and miscellaneous expenses are too minor and too well spread to be particularly significant. It is probable, therefore, that the best index of the cost of processing books is in terms of the amount in salaries for full-time employees spent for each book acquired.²⁶ This figure is obtained by dividing the total expenditures for full-time employees' salaries by the number of books acquired. When the figure thus procured is added to the amount of the purchase price the result is an assumed average total cost of acquiring books.²⁷ A second method of computing the average cost of books ignores the allocation of costs to housekeeping and simply divides the amount of total expenditures by the total number of books acquired.²⁸

The results obtained by an analysis along these lines of available data showed a wide variation from school to school in each of the several computations of cost. The average purchase price ranged from a maximum of \$10.67 to a minimum of \$1.86 and the average cost in terms of full-time salaries from \$10.87 to \$0.86. The maximum total of these two items was \$18.88 and the minimum \$2.86. In

22. For a comparison between salaries paid in the southern law schools and those paid throughout the United States, see Price, *The Law School Librarian*, 1 J. LEG. ED. 268 (1948); Roalfe, *Compensation of Law Library Personnel*, 46 LAW LIB. J. 18 (1953); Holt, *Compensation of Law Library Personnel in 1954*, 47 LAW LIB. J. 134 (1954); Roalfe, *op. cit.*, n. 1, pp. 101 *et seq.*

23. See Appendix, column o.

24. See Appendix, column p.

25. The method of calculation assumes that all books were paid for on the same date as acquired, an assumption not true in fact. However, it is felt probable that over a period of a year a reasonably accurate average would be obtained.

26. See Appendix, column q.

27. See Appendix, column r.

28. See Appendix, column s. For this purpose, the amount of binding was first subtracted from the total expenses.

terms of all expenses per book the maximum spent was \$17.63²⁹ compared to a minimum of \$3.00. The average and medians for all schools in terms of purchase price were \$5.76 and \$6.07, in terms of cost for full-time salaries \$4.22 and \$3.61, in terms of both these costs \$9.89 and \$10.19 and in terms of total cost \$11.01 and \$11.56.

Although a comparison between the cost figures for different categories of libraries is not entirely conclusive it should be noted that costs in the small non-state schools were significantly higher than the general average.

Binding was considered separately from other items of cost because in some respects it may be considered a capital investment and because it may vary excessively from year to year. The cost of binding was analyzed on two bases. The first was in terms of the absolute amount spent,³⁰ the second in terms of the ratio between the amount spent for binding compared with the amount spent for books.³¹ In this instance also extreme variations were apparent. The amount spent varied from nothing to \$2,600 with an average for all schools of \$1,061 and a median of \$929. The average and median for state schools, \$1,349 and \$1,250 respectively, were both considerably above the average and median for all non-state schools, \$845 and \$521 respectively. However, the greatest differences appeared among the small libraries, the average and median in state schools in that category being

29. This figure is lower than the \$18.88 reported in one library as the sum of the average purchase price and cost in terms of full-time salaries. Only partial information was obtained as to the budget of the library reporting the larger figure and it was im-

both \$1,453 as against \$484 and \$401 for the non-state schools. In the medium-sized libraries the average and median for non-state schools, \$1,479 and \$1,497 respectively were much larger than the average and median for state schools, \$760 and \$417 respectively. It was only in the large libraries that anything approaching equivalence between the two types of schools was obtained, although the \$1,897 average and \$2,107 median for state schools was larger than the \$1,412 average and \$1,500 median for non-state schools.

In terms of the ratio between binding costs and the amount spent for books the range for all schools was from .000 to .375 with an average of .010 and a median of .084.³² The average and median for all state schools, .115 and .095, were both larger than the average and median for non-state schools, .086 and .080, the same pattern of differences between state and non-state schools in the several size categories appearing as in the case of absolute binding expenses.

Conclusions

One should attempt only hesitantly to draw conclusions from these findings. The inherent deficiencies of all statistical studies, the narrow statistical base available, the not always completely satisfactory character of the information obtained, and the lack of data with which to make comparisons between current conditions in the South with those of an earlier date and with those for the nation as a whole, all indicate the need for possible to compute the cost in terms of all expenses for that library.

30. See Appendix, column t.

31. See Appendix, column u.

caution in making generalizations. However, certain observations are apparently justified.

In the region as a whole we find no great libraries and but relatively few which are large enough to be satisfactory research tools. The overall average growth pattern of these libraries does not indicate a rapid amelioration of these deficiencies. In the case of several individual libraries a dynamic rate of growth is shown and it is hoped that the improvement in these libraries will do much to lift the general average in the region. However, by contrast all general averages in the region have been depressed by the existence of a considerable number of small, non-state libraries poorly supported and only slightly above the minimal requirements for accreditation. There appears little probability that there will be substantial efforts to improve libraries of this type in the foreseeable future and this fact will continue to depress the average picture presented by the southern libraries. In terms of financial support available the same generalizations can be made.

Perhaps the most encouraging sign of progress in the region is found in the data as to librarians. Although the salaries paid and qualifications demanded are still unsatisfactory there is evidence that the old custodial tradition is rapidly breaking down. The number of young, qualified men who have entered library work in recent years is particularly noteworthy and it is to be hoped that to a greater and greater extent librarians will have the same qualifications, pay and status as the members of the teaching faculties.

No effort has been made in this survey to analyze the operations of any given library as it was felt that this was the task of the administrative officials in each institution. However, the variations in operating indices among the several libraries were so extreme as to raise the question whether considerable inefficiency may exist in many quarters. It should be pointed out that these inefficiencies are particularly serious in the small libraries, where the available funds are limited and it is particularly important to channel all money possible into book purchases. There is unquestionably a need for better accounting procedures and for periodic analysis of all costs. In this connection at present there exist no recognized criteria of efficiency and it may be desirable to carry out more detailed studies in the future for the purpose of creating acceptable standards. In particular an annual statistical analysis of all southern libraries would undoubtedly be of great value to administrators throughout the region.

At present it is suspected that southern law libraries are in a transition stage, and that in this they reflect the position of the south as a whole. Until recently the structure of southern society, with but limited exceptions, was operated on a minimal basis. But in the last two decades there has appeared a dynamic reorientation of southern thinking and methods. There is some indication that this reorientation has been reflected in the improvement of many of its law libraries and it is hoped that this trend will continue at an accelerated pace in the future.

APPENDIX

Support From Sources Other Than Direct
UNIVERSITY APPROPRIATIONS

(a) School ¹²	(b) No. of Vol. ¹	(c) Vol. Added During Year ¹³	(d) No. of Vol. ¹	(e) Rate of Growth ¹⁴	G'D ¹⁵	(f)	(g)	(h)	Annual Expenses ⁶	Expenses Per Book ¹⁷	(i)	(j) Endow-ment Income	(k)	LIBRARY FEES		
														(l)	(m)	(n)
1.	18,899	850	19,749	.045	V	1	1	\$ 5,880 ¹⁶	-.31	—	—	—	—	—	—	—
2.	18,896	889	19,785	.047	V	1	1	11,576	.61	—	—	—	—	—	—	—
3.	20,126	829	20,955	.042	V	1	1	9,409	.47	—	—	—	—	—	—	—
4.	17,150	3,500	21,250	.025	N	1	1	10,900 ¹³	.61	—	—	—	—	—	—	—
5.	20,975	525	21,500	.025	V	1	1	7,948 ¹⁴	.38	—	—	—	—	—	—	—
6.	—	—	21,500	—	V	1	1	14,620	—	—	—	—	—	—	—	—
7.	21,500	371	21,871	.017	V	1	1	9,800 ¹⁵	.42	—	—	—	—	—	—	—
8.	22,402	630	23,032	.028	V	1	1	9,948	.44	—	—	—	—	—	—	—
9.	23,394	749	24,143	.032	V	1	1	11,498	.49	—	—	—	—	—	—	—
10.	23,512	1,807	25,319	.077	V	1	1	19,360	.82	—	—	—	—	—	—	—
11.	25,250	750	26,000	.034	V	1	1	13,720	.54	—	—	—	—	—	—	—
12.	26,167	851	27,018	.033	V	1	1	11,537	.44	—	—	—	—	—	—	—
13.	23,012	4,823	27,435	.192	V	1	1	28,411	1.23	—	—	—	—	—	—	—
14.	29,050	850	30,000	.029	V	1	1	14,673	.50	—	—	—	—	—	—	—
15.	28,459	1,800	30,259	.063	V	1	1	—	.50	—	—	—	—	—	—	—
16.	26,879	3,420	30,299	.127	V	1	1	31,472 ¹⁸	1.17	—	—	—	—	—	—	—
17.	29,389	911	30,300	.030	V	1	1	9,708	.33	—	—	—	—	—	—	—
18.	29,525	1,475	31,000	.050	V	1	1	12,533	.43	—	—	—	—	—	—	—
19.	37,295	894	38,189	.024	V	1	1	12,410	.33	—	—	—	—	—	—	—
20.	41,433	961	42,394	.023	V	1	1	11,951	.29	—	—	—	—	—	—	—
21.	40,118	3,077	43,195	.077	V	1	1	17,509 ¹⁶	.44	—	—	—	—	—	—	—
22.	38,586	5,233	43,819	.017	V	1	1	38,315	.99	—	—	—	—	—	—	—
23.	42,394	4,009	46,403	.094	V	1	1	40,500	.96	—	—	—	—	—	—	—
24.	52,536	1,638	54,174	.031	V	1	1	22,679	.43	—	—	—	—	—	—	—
25.	54,088	1,867	55,955	.025	V	1	1	15,150 ¹¹	.28	—	—	—	—	—	—	—
26.	56,962	9,353	66,335	.164	V	1	1	67,213	1.18	—	—	—	—	—	—	—
27.	71,565	3,435	75,499	.048	V	1	1	29,499	.41	—	—	—	—	—	—	—
28.	85,645	2,818	88,463	.033	V	1	1	39,150	.46	—	—	—	—	—	—	—
29.	93,174	2,346	95,520	.025	V	1	1	36,025	.39	—	—	—	—	—	—	—
30.	97,170	2,830	100,000	.028	V	1	1	43,440	.45	—	—	—	—	—	—	—
31.	97,353	3,940	101,293	.040	V	1	1	50,618	.52	2,225	2,770	20	—	—	—	—

1. Column b gives the number of volumes claimed as of July 1, 1952, and column d the number of volumes claimed as of June 30, 1953.
 2. July 1, 1952—June 30, 1953, or nearest fiscal year.
 3. Number of volumes added during the year divided by the number of volumes at the beginning of the year.
 4. If the library was a government depository the symbol V is used; if not, the symbol N.

5. If the library was a government depository and the books deposited were placed part in the main library and part in the law library the symbol I was used; if all books were deposited in the main university library the symbol II was used; if all books were deposited in the law library the symbol III was used.

6. Actual expenditures for all purposes other than permanent improvements during the year July 1, 1952—June 30, 1953 (or nearest fiscal year). Bene-

fited from exchange and law review arrangements were excluded. These expenses do not include the salaries of faculty directors, when employed, nor the cost of binding, cataloging, etc., performed by the main university libraries.

7. Amount spent on books divided by volumes added during year.

8. Expense for all full-time salaries divided by volumes added during year.

9. All expenses, less binding, divided by volumes added during year.

4. If the library was a government depository the symbol Y is used; if not, the symbol N.

permanent improvements during the year July 1, 1952—June 30, 1953 (or nearest fiscal year). Bene-

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SOUTHERN LAW SCHOOL LIBRARIES
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volumes added during year.
9. All expenses, less binding, divided by volumes added during year.

(a)	(n)	Amt. Spent on Books	Blk. Costs to All Expenses	(o)	Average Purchase Price Per Book ⁷	(p)	Cost Per Blk. in Full Time Salaries*	(q)	Cost Per Blk. in Full Time Salaries*	(r)	Total Expenses (n) & (o)	(s)	Cost Per Book in Total	(t)	Amount Spent on Binding	(u)	Ratio Cost of Binding Amount Spent on Books	(v)
School ¹³	\$3,000	\$3,000	\$510	\$3.53	\$3.39	\$6.92	\$11.56	\$11.56	\$11.56	\$11.11	\$1,302	\$1,266	\$208	50	50	50	50	
1.	\$6,274	5,228	.542	7.06	3.60	10.66	11.03	11.03	11.03	11.03	11,032	11,031	.051	90	90	90	90	
2.	5,500	5,500	.556	6.31	3.62	9.93	11.03	11.03	11.03	11.03	11,032	11,031	.061	82	82	82	82	
3.	3,767	3,500 ¹⁴	.596	1.86	1.00	2.86	3.00	3.00	3.00	3.00	401	400	.106	122	122	122	122	
4.	6,000	6,000	.474	7.18	7.20	14.38	—	—	—	—	401	400	.106	166	166	166	166	
5.	7.	3,500 ¹⁴	6,000	.457 ¹⁴	8.10 ¹⁴	10.78 ¹⁴	18.88 ¹⁴	18.88 ¹⁴	18.88 ¹⁴	18.88 ¹⁴	500	500	.083	105	105	105	105	
6.	8.	4,941	4,941	.497	7.84	5.71	13.55	15.19	15.19	15.19	300 ¹⁴	300 ¹⁴	.086	83	83	83	83	
7.	9.	4,500	4,500	.391	6.01	5.34	11.35	15.02	15.02	15.02	250	250	.056	116	116	116	116	
8.	10.	8,686	8,686	.449	4.81	3.60	8.41	10.41	10.41	10.41	542	542	.062	162	162	162	162	
9.	11.	8,000	8,000	.583	10.67	5.04	15.71	17.63	17.63	17.63	500	500	.062	155	155	155	155	
10.	12.	5,431	5,431	.471	6.38	4.70	11.08	13.08	13.08	13.08	406	406	.075	105	105	105	105	
11.	13.	10,706	10,706	.377	2.42	2.58	5.00	5.00	5.00	5.00	2,344	2,344	.137	217	217	217	217	
12.	14.	6,285	6,285	.428	7.39	6.71	14.10	16.25	16.25	16.25	858	858	.137	127	127	127	127	
13.	15.	7,000 ¹⁴	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
14.	15.	20,921 ¹⁴	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
15.	16.	6,000 ¹⁴	6,665 ¹⁴	6,12 ¹⁴	3.52	2.63 ¹⁴	8.75	9.20 ¹⁴ & 18	9.20 ¹⁴ & 18	9.20 ¹⁴ & 18	1,500	1,500	.375	209	209	209	209	
16.	17.	4,000	4,000	.412	4.39	4.45	2.17	6.62	6.62	6.62	7.02	7.02	.335	114	114	114	114	
17.	18.	6,570	5,000	.533	4.45	4.85	4.85	10.44	10.44	10.44	13.43	13.43	.335	200	200	200	200	
18.	19.	5,000	4,003	.559	5.59	4.85	4.85	10.44	10.44	10.44	13.43	13.43	.335	112	112	112	112	
19.	20.	4,787	4,787	.401	4.98	3.68	8.66	12.44	12.44	12.44	none	none	.084	96	96	96	96	
20.	21.	10,259	10,259	.586 ¹⁴	3.33	0.86 ¹⁴	4.19 ¹⁴	5.22 ¹⁴	5.22 ¹⁴	5.22 ¹⁴	1,440	1,440	.140	128	128	128	128	
21.	22.	18,656	18,656	.487	3.57	2.28	5.85	7.30	7.30	7.30	325	325	.017	229	229	229	229	
22.	23.	24,318	24,318	.594	6.07	2.64	8.71	9.73	9.73	9.73	1,497	1,497	.062	342	342	342	342	
23.	24.	13,414	13,414	.591	8.19	2.81	11.00	12.26	12.26	12.26	2,600	2,600	.194	157	157	157	157	
24.	25.	11,250	—	—	8.23	—	—	—	—	—	1,500	1,500	.133	190	190	190	190	
25.	26.	33,231	33,231	.404	3.55	2.26	5.81	7.08	7.08	7.08	1,037 ¹⁴	1,037 ¹⁴	.032	180	180	180	180	
26.	27.	12,326	12,326	.418	3.59	2.54	6.13	7.92	7.92	7.92	2,279 ¹⁴	2,279 ¹⁴	.185	185	185	185	185	
27.	28.	20,400	20,400	.521	7.24	5.27	12.51	13.36	13.36	13.36	1,500	1,500	.074	132	132	132	132	
28.	29.	16,250	16,250	.442	6.93	6.19	13.12	14.95	14.95	14.95	1,700	1,700	.105	117	117	117	117	
29.	30.	18,000	18,000	.414	6.36	6.90	13.26	15.00	15.00	15.00	1,000	1,000	.055	688	688	688	688	
30.	31.	19,801	19,801	.391	5.03	6.18	11.21	12.31	12.31	12.31	2,107	2,107	.106	351	351	351	351	

10. Covered only cost of books and the librarian's salary. Cost of binding and much of the cost of administration was assumed by the main college library.

11. All binding done by the main college library.

12. In the case of non-state libraries the identifying number is italicized.

13. The assistant librarian did some secretarial work and \$1,000 of her salary was allocated to library expense.

14. Included were cost of books, the librarian's salary and the cost of binding. Other expenses were carried in the main university budget.

15. It has been necessary to reconstruct the budget of this library as the librarianship was vacant during much of the year. Generally the 1953-54 budget was employed. In computing the purchase price of books, however, the actual cost and the actual number acquired were employed.

16. The law school was separately endowed and obtained its entire income from endowments and tuition.

17. Funds cumulated over more than one year.

18. Included binding.

19. Includes salary of librarian of related institute who worked in the law library.

20. Did not include salary of faculty director of the library.

21. Did not include salaries of the faculty director of the library nor of any full-time staff.

22. \$24,00 for evening students.

23. Typically would be about \$1,500.

24. Was deposited in general funds of the university.

25. Estimated. This figure included about \$1,000 worth of work done by the main university library.

26. A few sets were deposited in the law library.

27. Total expenses divided by holdings July 1, 1952.

Directory of U. S. Dealers and Publishers in Law Books*

Compiled by CARLETON W. KENYON, Assistant Reference Librarian

Los Angeles County Law Library

This is a directory of law book dealers and publishers who are actively engaged in the law book trade in the United States. It is not complete; for necessity has reduced the list to active dealers only. Listing is alphabetical by state and city and by dealer within the city.

Thanks are due to those law librarians who responded so readily to requests for checking dealers' names and addresses in their section of the country.

Suggestions for supplementary listings would be welcome.

ALABAMA

Alabama Book Store
1011-15 University Avenue
Tuscaloosa

ARKANSAS

Orion Book Service
Box 367
Fort Smith

CALIFORNIA

Hanna Legal Publications
1029 Pomona Avenue
Albany 6
The Advance Publishing Company
2315 Oregon Street
Berkeley 5

* The last compiled list was published by Forrest S. Drummond in 33 LAW LIBRARY JOURNAL 148 (1940) and supplemented in 34 LAW LIBRARY JOURNAL 340 (1941).

Dennis Hartman
3210 Selby Avenue
Los Angeles 34
Legal Book Store
106 S. Broadway
Los Angeles 12
Doug Plowden
137 N. Broadway
Los Angeles 12
Cecil Skipwith
306 W. First Street
Los Angeles 12
R. A. Ogg
P. O. Box 29
Palo Alto
Bancroft-Whitney Company
200-214 McAllister Street
San Francisco 1
Bender-Moss Company
91 McAllister Street
San Francisco 2
Colman Law Book Company
251 Kearny Street
San Francisco 8
Harry B. Lake
321 Kearny Street
San Francisco 8
Lawyers Book Exchange
(Ralph & Stew Leeman)
220 McAllister Street
San Francisco 2
The Recorder Printing & Publishing
Company
99 So. Van Ness Avenue
San Francisco 3
Weekly Law Digest
Mills Bldg.
San Francisco 4

COLORADO

Shepard's Citations
Colorado Springs
Courtright Publishing Company
1609 Court Place
Denver 2

CONNECTICUT

Hartford Law Book Company
36 Pearl Street
Hartford 3
P. & H. Bliss, Serials
215 E. Main Street
Middletown
The Microcard Foundation
Middletown

DISTRICT OF COLUMBIA

Bernan Associates
P. O. Box 5664
Friendship Station
Washington 16
Brookings Institution
722 Jackson Place, N. W.
Washington 6
Bureau of National Affairs, Inc.
1231 24th Street, N. W.
Washington 7
John Byrne and Company
1218 H Street, N. W.
Washington 5
Central Book Shop
906 9th Street, N. W.
Washington 1
Hawkins Publishing Company
817 G Street, N. W.
Washington 1
Jefferson Law Book Company
1424 K Street, N. W.
Washington 5
Lerner Law Book Company
509 E Street, N. W.
Washington 1
National Institute of Municipal
Law Officers
730 Jackson Place, N. W.
Washington 6
National Law Book Company
1110 13th Street, N. W.
Washington 5

Pike & Fischer, Inc.
1735 De Sales Street
Washington 6

Public Utilities Reports, Inc.
309 Munsey Bldg.
Washington 4

Statute Law Book Company
323-326 Colorado Building
14th & G Streets, N. W.
Washington 5

Tax Law Publishing Company
Investment Building
1511 K Street, N. W.
Washington 5

Washington Law Book Company
810 13th Street, N. W.
Washington 5

FLORIDA

C. C. Ward
Graham Building
Jacksonville
South Publishing Company
Ingraham Building
Miami 32

GEORGIA

The Harrison Company
P. O. Box 4214
93 Hunter Street, S. W.
Atlanta 2

ILLINOIS

Burdette Smith Company
111 W. Washington Street
Chicago 2

Callaghan and Company
6141 N. Cicero Avenue
Chicago 30

Commerce Clearing House
214 N. Michigan Avenue
Chicago 1

Council of State Governments
1313 E. 60th Street
Chicago 37

National Law Library Appraisal
Association
538 S. Dearborn Street
Chicago 5

Public Administration Service
1313 E. 60th Street
Chicago 37

Eskil C. Dahlin & Company
400-410 E. Monroe Street
Springfield

INDIANA

The Allen Smith Company
340 E. Market Street

Indianapolis 4

Barnett and Patton
42 Virginia Avenue

Indianapolis 4

Bobbs-Merrill Company
730 N. Meridian Street

Indianapolis 7

John W. Murray Law Book Company
302 Insurance Bldg.
8 E. Market Street

Indianapolis 4

LOUISIANA

Bayou Book Company
Box 2423

Baton Rouge

Claitor's Book Store
241 North Street

Baton Rouge 2

F. F. Hansell and Bro., Ltd.
131-133 Carondelet Street

New Orleans 12

MARYLAND

American Maritime Cases, Inc.
2301 N. Charles Street

Baltimore 18

Curlander Law Book Company
525 N. Charles Street

Baltimore 1

MASSACHUSETTS

Boston Law Book Company
8 Pemberton Square

Boston 8

J. S. Canner & Company
46 Millmont Street

Boston 19

F. W. Faxon Company
83-91 Francis Street

Boston 15

Goodspeed's Bookshop Inc.
18 Beacon Street

Boston 8

Lawyers' Brief & Publishing Company
68 Devonshire Street

Boston 9

Little, Brown & Company
34 Beacon Street

Boston

Williams Book Store
85-89 Washington Street

Boston 8

Wright and Potter Printing Company
82 Derne Street

Boston

MICHIGAN

J. W. Edwards Publishers, Inc.
Ann Arbor

MINNESOTA

Marvin Law Book Company
200 Globe Building

St. Paul 1

Mason Publishing Company
366 Wacouta Street

St. Paul 1

West Publishing Company
50 Kellogg Blvd.

St. Paul 2

MISSOURI

E. W. Stephens
Columbia

Florence Woodward
Golden City

H. M. Sender
P. O. Box 25

Kansas City

Vernon Law Book Company
915 Grand Avenue

Kansas City 6

Thomas Law Book Company
209 E. Third Street

St. Louis 2

NEW JERSEY

Kimball-Clark Publishing Company
Boonton

Associated Lawyers' Publishing Company
8 West Park Street
Newark 2
Gann Law Books
790 Broad Street
Newark 2
Soney & Sage Company
744 Broad Street
Newark 2
The Martindale-Hubbell Law Directory
1 Prospect Street
Summit 1

NEW YORK

Matthew Bender & Company, Inc.
Albany 1
(Branch:
443 Fourth Avenue
New York 16)
Newkirk Associates, Inc.
76 Maiden Lane
Albany 7
Williams Press, Inc.
Albany
The American Law Book Company
272 Flatbush Avenue Extension
Brooklyn 1
Atlantic Law Book Company
1371 East 21st Street
Brooklyn 10
Foundation Press, Inc.
268 Flatbush Avenue Extension
Brooklyn 1
Metropolitan Law Book Company
270 Flatbush Avenue Extension
Brooklyn 1
Edward Thompson Company
399 Gold Street
Brooklyn 1
Dennis & Company, Inc.
251 Main Street
Buffalo 3
Foreign Tax Law Association, Inc.
500 Olive Blvd.
Hempstead, L. I.
Baker, Voorhis and Company, Inc.
25 Broad Street
New York 4

British Information Services
30 Rockefeller Plaza
New York 20
Central Book Company
261 Broadway
New York 7
Clark Boardman Company, Ltd.
11 Park Place
New York 7
Fallon Law Book Company, Inc.
296 Broadway
New York
Foreign and International Book Company, Inc.
441 Lexington Avenue
New York 17
Burt Franklin
514 West 113 Street
New York 25
Kraus Periodicals, Inc.
16 E. 46th Street
New York 17
Oceana Publications
43 West 16th Street
New York 11
Morris Park Book Company
839 Morris Park Avenue
New York 62
Practising Law Institute
20 Vesey Street
New York 7
Prentice-Hall, Inc.
70 Fifth Avenue
New York 11
Fred Rothman & Company
200 Canal Street
New York 13
Stechert-Hafner, Inc.
31 E. 10th Street
New York 3
George Telberg
3569 Broadway
New York 31
The United States Corporation Company
160 Broadway
New York 38
The H. W. Wilson Company
950-972 University Avenue
New York 52

The Lawyers Cooperative Publishing
Company
Rochester 14

James C. Howgate
128 So. Church Street
Schenectady 1

NORTH CAROLINA

Carolina Book Company
18 Broadway
Asheville
Redman's Bookstore
16 Broadway
Asheville
Mary Moore Allen
Goldsboro

OHIO

The W. H. Anderson Company
524 Main Street
Cincinnati 1
Johnson and Hardin Company
700 Main Street
Cincinnati
Ohio Book Store
544 Main Street
Cincinnati 2
Banks-Baldwin Law Publishing
Company
University Center
Cleveland 6

OKLAHOMA

R. V. Boyle
701-02 Leonhardt Bldg.
Oklahoma City 2

OREGON

Fred Lockley
4227 S. E. Stark Street
Portland 15
R. Wayne Stevens
1927 N. E. 15th Street
Portland 12
Stevens-Ness Law Publishing Company
937 S. W. 4th Avenue
Portland 4

PENNSYLVANIA

American Law Institute
133 So. 36th Street
Philadelphia 4

George T. Bisel Company
710 S. Washington Square
Philadelphia 6

Joseph M. Mitchell Company
5738 Thomas Avenue
Philadelphia 43

Donahue-Scott Law Book Company
3048 W. Liberty Avenue
Pittsburgh 16
Professional Book Store
3949 Forbes Street
Pittsburgh 13

PUERTO RICO

Librerías Culturales, Inc.
Ave. Muñoz Rivera 1006
P. O. Box 817
Rio Piedras

RHODE ISLAND

Lincoln Book Shoppe
905-907 Westminster Street
Providence 3

TEXAS

John R. Mara
5127 Belmont Avenue
Dallas 6

VERMONT

Charles E. Tuttle Company
Rutland

VIRGINIA

The Michie Company
Charlottesville

WASHINGTON

Fred T. Darvill
1305 Pacific Highway
Bellingham
Book Publishing Company
2518 Western Avenue
Seattle 1
Wendall Huston Company
1008 Western Avenue
National Bldg.
Seattle 4, Washington
Irving Koths
516½ Main Street
Vancouver, Washington

Questions and Answers

Compiled by MARIAN G. GALLAGHER, Librarian

University of Washington Law Library

The editors, with the assistance of the Subcommittee on Law Library Problems of the Committee on Co-operation with the Association of American Law Schools, will attempt to find answers to questions regardless of their suitability for publication, and questions which seem to need immediate replies will be answered by mail prior to publication in the Law Library Journal. Address questions to Mrs. Marian G. Gallagher, Law Librarian, University of Washington Law Library, Seattle 5, Washington.

1

Question:

We subscribe to a fair number of British and Canadian reports series. My predecessor, instead of fastening the noter-up stickers into the reports, placed them in file folders in no particular arrangement; I think it was, with him, a compromise between noting-up the cases and throwing away the stickers, and now we have a five or six year accumulation. Would it be worth our while to take staff time cleaning up this backlog? We have no trouble keeping the current stickers volumed(?), filed(?), stuck(?), but I would have to neglect some everyday routine to take care of the backlog.

Answer:

We think you might be wasting staff time with the backlog. The information on those noter-up stickers usually appears later in the digest tables of cases judicially noticed, or in the bound noter-up service; the stickers are a form of advance citator.

Your predecessor may have decided that the demand in your library for last-minute citator service to the British and Canadian reports was not great enough to justify spending even the time required to process the current stickers. The noting-up demand usually is less pressing in a school library than in a bar library, and if the members of the bar make infrequent calls upon you, and if you keep your digests up to date, using your staff for other purposes might be considered not negligent. Even in Canada, where the demand for citations would far exceed yours, we know of one law school library which subscribes to this philosophy. We also know of one Canadian bar library which not only processes all the stickers as they come in, but in addition annotates Canadian reports by hand as the new citing volumes are received—a manual noting-up process more extensive, more up-to-date, and more time consuming than the sticker process.

2

Question:

One of my assistants wants to experiment with book mending, contending that he can effect a saving in time and money (we now send our books to a commercial bindery to be mended) as well as in preventive mending. He has made up a list of the supplies he needs to begin with, and the expense is rather overwhelming. He seems to be clever manually, but I wonder if there is not some way I can find out whether he would make a mess of things, before I take such a hunk out of my funds.

Answer:

You might buy him a Hewitt Book Mend, for \$10.00. It contains seven compartments full of supplies and equipment for mending and pamphlet binding, including glue, brushes, rulers, bone folders, preservative liquids, compasses, sandpaper, heavy rubber bands (substitute for book press), super, stitched binder, knives, etc., etc., and a complete manual of instructions. You can buy the book (*Hewitt Book Mending Instruction Manual*, New York, Edward Ringwood Hewitt, 1953) separately for \$1.50, but you would then have the same problem of purchasing the supplies apparently required, some of them in larger lots than you might need. This Book Mend Kit seems ideal for experimentation; we know of one large library, already equipped with a professional-type bindery, which purchased one of them for the education of its staff.

The manufacturer is Hewitt Prod-

ucts, 23 North Main Street, Liberty, New York.

3

Question:

I have been criticized for using the word "loose-leafs" in my annual report. My critic says that I should have said "loose-leaves". I tried to find printed authority for my usage, but find that committee reports, etc., avoid the issue by speaking of loose-leaf services, loose-leaf publications, etc. I realize that I could consult an English authority, but this seems to me to be a question of law library usage, since the kind of publication is peculiar to law libraries.

Answer:

This is not the type of question we had expected when we took on this job, but the certainty that no English teachers subscribe to the Law Library Journal lends us courage. We think you are both wrong; we think the usage is not widespread enough, or ancient enough, to change an adjective into a noun. If you substitute the abbreviation "loose-leaf" for "loose-leaf service" your adjective abbreviation should retain the same form whether you are speaking of the singular or the plural.

Editor's note: We say "loose-leafs" everyday.

4

Question:

Our library is so small that our patrons seem to find more references to books we don't have than to books we

do have. I feel guilty about bothering my friends in the larger law libraries for help. What do others feel about this?

Answer:

If you feel any sense of accomplishment in being able to supply a needed book to a patron, you know how most librarians feel about being able to supply a book to your library. And, as with your own patrons, it is not how often you ask, but how you ask that keeps you on the welcome list.

Borrowing etiquette is codified in the General Interlibrary Loan Code 1952 (13 College and Research Libraries 350-358 (1952)) available in reprint form from Gaylord Bros., Inc., Syracuse, N. Y. and Stockton, California, and interpreted for law librarians by Margaret D. Uridge; of the University of California Library, in *The General Interlibrary Loan Code 1952: an Explanation* (46 Law Library Journal 6-12 (1953)). Borrowing etiquette rules govern what, when and where you may borrow, the form your request should take, and the treatment you are expected to give the borrowed material. Specific aids in pinpointing the "where" while staying within the rules are found in the *Union List of Serials*, and to a more limited extent in *New Serial Titles*; both "where" and "what" are pinpointed to the *Directory of Interlibrary Loan Facilities of Law Libraries*, directly following Mrs. Uridge's article (46 Law Library Journal 14-17 (1953)).

The proper form of your request hardly needs pinpointing beyond the information in the Code, but you may

get a clearer picture of what a large library will do for you, and what you should do before submitting your request, from the *Library of Congress Departmental and Divisional Manual no. 22, Union Catalog Division* (1954. 30p., 12p.; available from the Card Division, 35¢).

There will be times when, to please a deserving patron, you will want to borrow something in the non-lendable class, or when you will be unable to verify your bibliographic information. In those cases, rely on the friends you mentioned, but keep in mind the Code's policy of "spreading the load".

5

Question:

We receive quite a bit of free pamphlet material from state and federal agencies, Congressmen, bar associations, etc., most of it in response to our request. There is so much of it that thanking each donor takes considerable time. Do you advise our continuing to do so?

Answer:

It is only courteous to thank this type of donor, by which we mean that courtesy is about all you accomplish. We used to thank most of the government agencies; it was like our anti-falling-hair campaign: we didn't know whether it did any good, but we were afraid to stop. For the last few years, during which our staff has been at a level not affording the luxury of courtesy, we have acknowledged such materials only upon request of the donor, or under unusual circumstances, i.e., the donor limits distribution, or made

a special effort to supply us with out-of-print issues. We notice no decrease in the frequency of response to our requests. We think you will find that most libraries make no attempt to acknowledge such material except under the same type of special circumstances.

6

Question:

We tell our staff to give all possible assistance to non-lawyer members of the community, short of giving legal advice, but our law student assistants are so anxious for the chance to practice their newly acquired legal knowledge that they sometimes dish out, over the telephone and to patrons who come in person, more information and misinformation than they should. We want a simple set of rules, for inclusion in our library manual, drawing the line between legal advice and reference service of the library-information type. Do you know of anyone who has formulated such rules?

Answer:

No, we don't, but perhaps one of our readers will come to your rescue.

In the meantime, you might reread the proceedings of the 1953 A.A.L.L. panel discussion of *Reference Work in Law Libraries*, beginning at page 448 of the November 1953 issue of the *Law Library Journal*, with special reference to pages 450-451, 460-463. This discussion is directed at reference work for attorneys, but the distinctions drawn between legal questions and library questions will be of help to you.

We assume that you are making a distinction between the services which

properly can be rendered lawyers and the things you can do for laymen. The former are determined by staff time limitations, the duty to render objective and impartial service, and by another factor which is seldom mentioned (and which seems to conflict with the duty to render impartial service, but which certainly influences our staff's attitude toward the amount of time we shall spend helping a lawyer) the lawyer's facilities for helping himself. The last is a factor only in a library which has undertaken service to outlying communities with a search-book famine; reference questions couched in fact-terms rather than citation-terms, coming from such communities, do not seem impositions, and consequently receive attention of a type we should not feel obligated to give like requests coming from lawyers who have ready access to adequate libraries.

The things you can do for laymen are further limited by the ban on unauthorized practice. In our library, we avoid having to arrive at a definition of "giving legal advice" by limiting telephone and letter service for laymen to information about legal publications, legal history, biography, social science materials, etc., and to quotations from specifically cited passages in law books. Laymen who appear in person are treated to all the books in our library, complete with indexes.

7

Question:

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can determine, since the library was established about 60 years ago. If we take an inventory, what do we count as a volume? Do we count the six annual reports of our state Public Utilities Commission, which we may have bound in one book, as one volume, or as six volumes?

Answer:

We do not know. There seems to be nothing uniform about the practice among law libraries except their reluctance to tell each other how they do it. We have the impression that most law libraries use the physical volume count rather than the bibliographic count, but it is only an impression. The Association of American Law Schools' Committee on Library Collections is considering what should be counted as a volume, but had not reached agreement at the time its 1953 report was submitted (see *A.A.L.S. Committee Reports and Program*, 1953, p. 99). If you want to start your inventory before the Committee's 1954 report, I suggest you write to the Chairman.

8

Question:

Patrons often ask us to *prepare* bib-

liographies for them when we know there must be something already available in print. . . . Librarians seem to have so many policy rules about the treatment of patrons; . . . is there one which says we cannot refer the patron to a ready-made bibliography even when he specifies one of ours?

Answer:

We cannot believe that there is any policy rule requiring us to re-do work. All librarians use ready-made bibliographies, either as is, or with revisions and additions to suit the needs of the patron. We published a guide to the location of bibliographies of legal subjects in the May 1953 issue, at page 96, and stressed use of the "Bibliography" heading in the *Index to Legal Periodicals* over the appropriate legal subject heading. Since publishing that statement, we have experienced better results in the location of bibliographies suitable to our purposes under the legal subject headings rather than under "Bibliography". Our experience has not been extensive enough to rule out coincidence, but the difference in results has been marked enough to make us want to change our emphasis.

CURRENT COMMENTS

The use of the Robotyper for the multiple typing of *catalog cards* is suggested by Muriel F. Haas in 79 Library Journal 849 (May, 1954).

Suggestions for abbreviated *cataloging* are made by Wyllis E. Wright in the April issue of College and Research Libraries. The author suggests to reduce imprint and collation information on catalog cards to a minimum, cataloging of old books without subject cards, and the sparing use of title cards.

"Major problems in the Education of Librarians" is the title of a new publication of Columbia University Press. It was edited by Robert D. Leigh and deals with the problem of balancing theoretical and practical *education for librarianship* and the development of accreditation procedures.

Exhibits based on the one hundred and fiftieth anniversary of the French Civil Code were shown at the Library of Congress and at the Los Angeles County Law Library. Commemoration exercises and lectures on the Code were held at the Association of the Bar of the City of New York in April and May.

Problems of American libraries in acquiring *foreign publications* are discussed by John Fall in the April issue of the Library Quarterly.

Grágás, the Icelandic legal collection of historical note, will be published in English translation by the Bond Wheelwright Company (795 Forest Avenue, Portland 5, Maine). The first ten copies will be printed on

rag stock and leather bound at a special price of \$1,000 each.

The Federal Trade Commission held a public hearing concerning the proposed Trade Practice Rules for the *Library Binding Industry* in Washington, D. C. on March 12, 1954. The only librarian present was Miss Julia D. Bennett, the Washington representative of the American Library Association, who was present in the role of an observer. In the course of the hearing, library binders who are not members of the Library Binding Institute objected to the American Library Association's endorsement of the over-sewing machine as necessary for good library binding and to the necessity of belonging to the Library Binding Institute in order to obtain accreditation by the American Library Association.

The use of vulcanized fibre boxes with metal corners and reversible labels for *library loans by mail* is recommended by Pauline Duffield in the May-June issue of Special Libraries.

Lawrence Quincy Mumford has been appointed Librarian of the *Library of Congress*, succeeding Luther H. Evans who resigned last year to become Director General of UNESCO. Mr. Mumford will be the eleventh Librarian of Congress. The Law Library at the *Library of Congress* recently acquired a manuscript copy of Lord Chancellor Nottingham's *Prolegomena of Equity*.

Valuable references to *literary works involving legal issues* are given by William H. Davenport in his article on

"Literature for Lawyers: Bibliography and Commentary" in the March-April issue of the Journal of the State Bar of California.

The Lawyers Co-Operative Publishing Company, Rochester, New York, has experimented for several years with the reproduction of 400 printed pages on double-sided 6½" x 8½" microcards and is offering an improved microcard reader. Readex Microprint Corporation is offering a new reader which is suitable for microcards as well as microprint.

The *New York State Library* recently acquired a collection of sixteen pamphlets containing laws of New York Colony printed between 1736 and 1742. Two of these items were not previously recorded in existing checklists.

The American Library Association has appointed a Committee on Measurement and Guidance whose objective is to adapt tools of *personnel evaluation* which are widely employed in business and industry to library personnel work. The project is under way at the Rensselaer Polytechnic Institute Personnel Testing Laboratory.

Methods of *photo-duplication* are of increasing interest to librarians and lawyers. The Chicago Law Institute has put a Thermo-Fax and a Verifax machine at the disposal of its patrons and intends to purchase the machine which is preferred by them. The Library of Congress has developed BiblioFax for the duplication of records in its Order Division (13 Library of Congress Information Bulletin no. 15, p. 9). The Order Division reports that the cost of photo-duplication does not exceed that of typing and that photo-

duplication provides for better copies, control of orders and exactness in duplication.

A Stock Inventory of State Records Resources at the University of North Carolina was compiled by W. S. Jenkins of that University (mimeographed, 17 pages). The Stock Inventory is intended to demonstrate the desirability of creating a *public records* collection and research center at the University of North Carolina.

Matthew Bender & Company, Inc. has offered four *scholarships* of \$100 each to young law librarians for attending the 1954 annual meeting of the American Association of Law Libraries in Miami Beach. The scholarships were awarded by a committee of which Secretary Frances Farmer, Treasurer Elizabeth Finley and George Johnston were members, to Eileen Murphy, Assistant Law Librarian, St. Johns University Law School, Mary W. Oliver, Assistant Law Librarian, University of North Carolina, Bertha M. Rothe, Law Librarian, George Washington University School of Law, and Elaine Teigler, Reference Librarian, Northwestern University School of Law.

The extent to which the law of a case may be found in the court-composed *syllabus of a case* in Oklahoma is investigated in a comment in 7 *Oklahoma Law Review* 116 (1954).

Methods for the automatic disposal of *vertical file* materials which have become obsolete, are described by Margaret K. Odell in the May-June issue of *Special Libraries*.

The new Kresge Science and General Library building of *Wayne University Libraries* which was constructed

by the School District of the City of Detroit at an expense of \$4,000,000 provides space for the law library consisting of a stack area with carrels, graduate study alcoves, box-type lockers and seminar rooms. A brochure describing the new library building has been published by Wayne University Libraries.

The Temple University Law Library

by ERWIN C. SURRENCY, *Librarian*
Temple University Law Library

In September 1953, the Temple University School of Law opened its classes in its first permanent home. Previously occupying rented quarters, the School now has an adequate building which was made possible through the generous gift of Mr. and Mrs. J. Howard Reber. The building contains 30,000 square feet of floor space distributed over three floors. The ground floor houses temporarily the Law Library and the Hirst Free Law Library containing jointly 50,000 volumes. The second floor houses the administrative offices, extra-curricular activities, a class room and a seminar room. The faculty offices and three class rooms occupy the third floor.

As one enters the building from Broad Street, the visitors are usually impressed with the non-institutional colors of the walls. On the left are the administrative offices and the office of the Assistant Dean. To the right is a spacious student lounge where the novices at the Law usually gather between classes to engage in the favorite sport of the lawyer—talking.

As the visitor proceeds down the hall, passing the stairs to the library in the sub-basement and the second floor, he passes the Dean's office on the left; directly across the hall is the office of the Legal Aid Clinic which is operated by the students of Temple University under the supervision of the Legal Aid Society of Philadelphia. Since its establishment at the begin-

ning of the academic year, this branch of the society has done a heavy volume of business.

Going on down the hall are the offices of the Law Quarterly and the Student Bar Association and at the end of the hall is a classroom used by the second year classes. To the right of this classroom is a seminar room used by the graduate classes.

The stairs off to either side lead up to the second floor and down to the Library. Before going to the Library, let us continue our visit to the other parts of the building on the second floor. At the head of the stairs, and in the rear of the building are two smaller classrooms used by the third and fourth year classes. As we proceed into the large classroom, we enter a room with a high ceiling and balcony which is used as a first year classroom and a moot court room and as an auditorium. The seating capacity at the chairs and tables is 150 and another 150 can be seated in the balcony. As the visitor looks towards the front of the room he sees the original bench from the Third Circuit, Court of Appeals with the original chairs used by so many of the distinguished members of that court. The colors of the walls are restful and there is plenty of light. Because of the acoustical tile on the walls, no one has to strain to hear the professor as he expounds on the intricacies of the law. As the visitor leaves the opposite end of the room from which he enters, he enters a small vestibule with stairs leading down either side. But before going to the Library, the visitor should step across into the faculty suite. The floor is carpeted and the soft occasional chairs tempt students to come in and study. Off to each side are three faculty offices and between the two rows of offices is a small faculty library of some 3000 volumes. Here the faculty have their own set of the Pennsylvania statutes, reports, the fifth Decennial and the American Law Reports Annotated.

On the ground floor the Library is temporarily housed until a new building can be built adjoining the Law School. At the foot of the stairs is the circulation desk

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MEMBERSHIP NEWS

251

which encloses a small reserve collection. This area is divided into two rooms, the one where the reserve circulation desk is located is the reading room which houses a working law library. The Assistant Librarian's office is enclosed by glass partitions leading off from the one enclosed by the circulation desk and directly across the reserve area and in the other room is the Librarian's office.

The seating capacity of the Reading Room is 100. All the tables are located on one side of the room and the stacks are on the other side; for this arrangement makes possible better control of the Library by the staff.

In the other room, which is only accessible from behind the circulation desk, all texts, English reports and statutes, replaced codes, session laws, and other little used books are kept and may be obtained by the user of the library by requesting them at the circulation desk. This closed stack area doubles as a sorting room for large shipments of books.

The Library is equipped with standard library shelving of Virginia Metal Products. The shelves are the six-inch width, and thus it was possible to add one row of stacks more than it would have been if eight-inch shelving was used. The tables and chairs are oak finish which blends with the yellow ceilings and green walls.

The Hirst Free Law Library, for which the Law School is the trustee, is presently housed as an integrated part of the Law Library of Temple University.

After each tour, the visitor is usually happy to enter the librarian's office and sink into the soft easy chair by the Librarian's desk, which is strictly reserved for visiting VIPs. The Librarian has been complimented many times on how restful his chair is but he has only the word of others concerning this fact. After a brief chat, the visitor leaves with the impression that the building is functional and that more space is devoted to student activities than in any other building.

MEMBERSHIP NEWS

Compiled by BETTY VIRGINIA LEBUS, Librarian

Indiana University Law Library

ARTHUR C. PULLING who was formerly Director of the Harvard Law School Library and is now Librarian of Villanova Law Library received the honorary degree of Doctor of Laws from Villanova University on June 6. The following citation was read by President Rev. James A. Donnellon, O.S.A., at the annual commencement exercises:

To have been instrumental three times during the span of a single lifetime in creating and cultivating the laboratory facilities in which mature legal scholars and

students of the law might profitably and pleasantly do their significant work has been your good fortune. Many years ago, you were chiefly instrumental in the building of a magnificent law library in one of the great universities of middle America. That library will forever stand as a living monument to your genius. In the last decade you have been the guiding hand in the upbuilding and expansion of the greatest law library in all the world. Here at Villanova, in the brief compass of a few months, you have already built a law library to which the University points with considerable pride. In the almost half-century dedicated to building great law libraries, you have always been mindful

that it was a treasury of learning which was your charge and which you were not only preserving but expanding.

FRANCIS B. WATERS has been appointed Law Librarian of the New York Court of Appeals in Albany. Mr. Waters is a graduate of Ohio State University and the College of Law and School of Library Science of Western Reserve University. He has served as Legal Reference Librarian of New York University School of Law, Assistant Law Librarian of the New York State Library, and Law Librarian and Assistant Professor of Law at the University of Utah.

BETTY JEAN HANCOCK, formerly of the Detroit Bar Association Library, was appointed Assistant Librarian of the Baltimore Bar Association on April 12, 1954. She received her library degree from the University of Illinois Library School in 1951. Miss Hancock succeeded Miss Frances Bibik who left the library to be married.

SIDNEY B. HILL, Librarian, Association of the Bar of the City of New York, has been elected to a two year term on the board of the U.S. Book Exchange.

EARL C. BORGESON has been named Librarian of the Harvard University Law Library, effective July 1, 1954. Mr. Borgeson received his LL.B. from the University of Minnesota in 1949 and his B.A. in Law Librarianship at the University of Washington in 1950. He served as Assistant Reference Librarian at the Los Angeles County Law Library from July, 1950 to August, 1952 when he became Assistant Librarian at Harvard Law Library.

R. MAURINE BRUNNER has become Assistant Law Librarian, Michigan State Library. She is a graduate of Western Reserve (1927) and has served as Law Librarian of the New Hampshire State Library.

MORTIMER SCHWARTZ, Librarian and Assistant Professor of Law is co-author of *State Laws on the Employment of Women*, published recently by the Scarecrow Press.

KATE WALLACH, Law Librarian at Louisiana State University, was one of the honored guests at the spring Southern Law Review Conference held at the University of Mississippi.

Southern Methodist University, School of Law has established an Insurance Law Center. Mrs. JOY BAKER, formerly of the catalog division of the Texas A. & M. Library, has been named librarian.

The Department of Justice Library has announced the retirement of MATTHEW K. McKAVITT on January 31, 1954. Mr. McKavitt originally joined the Department of Justice in 1928 as a clerk in the FBI. He was appointed librarian in 1937 and served in that capacity until his retirement.

FRANK E. KOLAK, of the Chicago Bar Association Library, has been appointed Assistant Secretary of the Chicago Bar Association. He has been a member of the staff of the Chicago Bar Association for more than thirty years.

The law faculty of the University of Texas voted HELEN HARGRAVE a month's vacation in recognition of her

work on the new law building. She spent her holidays in Central America.

IRIS WILDMAN, formerly of the University of Chicago Law Library, was awarded a Master of Science in Library Science from Western Reserve. She has received one of the five appointments made under the Sixth Annual Recruitment Program for Graduates of Library Schools at the Library of Congress.

The Law School Library—Its Publications and Problems by LEON M. LIDDELL, Librarian, University of Minnesota appeared in Volume 4, No. 1 of the University of Minnesota Law School News (April, 1954).

The Library of Congress Information Bulletin, Volume 13, No. 14, page 14 noted that superior accomplishment awards for outstanding performances and notable accomplishments have been made to VLADIMIR GSOVSKI, Chief, Foreign Law Section, Law Library and to EDMUND C. JANN, also of the Foreign Law Section Section of the Law Library at the Library of Congress.

The New York County Lawyers' Association adopted the following resolution on January 21, 1954: "Resolved, that this Association unanimously extends to our Librarian, LAWRENCE H. SCHMEHL, Esq., our sincere felicitations and congratulations on the completion of 50 years of wonderful work in law library services in the City of New York and on the invaluable contributions he has made and is making to our Association in his capacity as Librarian, and further we extend to

him our good wishes for many more happy and fruitful years to come."

The degree of Juris Doctor was conferred upon ARIE POLDERAART, Law Librarian, University of New Mexico, August 12, 1953 by the University of Iowa. He was also voted honorary membership in the Order of the Coif on the basis of his work at the University of New Mexico and his legal studies at Iowa. Professor Poldervaart was guest speaker at the University of Iowa's Supreme Court Day May 7, 1954. His topic was *The Law Isn't Where You Find It*. Mr. Poldervaart will be on sabbatical leave during the summer and fall semesters of 1954. He plans to search for legal New Mexicana, to discover depositories of these materials and to complete background material for a book on legal research in New Mexico.

HOWARD J. GRAHAM, of the Los Angeles County Law Library, is the author of a review in article form of Crosskey's *Politics and the Constitution in the History of the United States* in the April issue of Vanderbilt Law Review. He is also the author of an article on the history of the Fourteenth Amendment in the Buffalo Law Review.

JEAN ASHMAN, President of A.A.L.L., 1950-51, has been appointed Law Librarian of Washington University. Miss Ashman was Law Librarian at the Railroad Retirement Board in Chicago from 1950 to 1953 and Librarian from 1953 to 1954.

INSTITUTIONAL MEMBERSHIPS:

The following have been designated recently as members under the Insti-

tutional Memberships of their respective libraries:

JACQUELINE BARTELLS, University of Washington Law Library.

MARIAN L. BECKER, University of California Law Library, Los Angeles.

ARTHUR H. BERNSTEIN, New York Central Railroad Company Law Library.

Mrs. MARIE BROWN, Detroit Bar Association Library.

MARILYN BURKE, Massachusetts State Library.

Rev. REDMOND A. BURKE, DePaul University Law Library, Chicago.

VERA CARLSSON, University of Minnesota Law Library.

Mrs. MARIA CHUDZINSKA, Northwestern University, Elbert H. Gary Library of Law.

RUTH CORRY, University of Georgia Law Library.

RICHARD C. DAHL, University of Nebraska Law Library.

ROBERT DAU, University of Detroit Law Library.

ROBERT L. FARIS, University of California Law Library, Los Angeles.

P. ANN HAWLEY, University of Toledo Law Library.

MURIEL E. HAYES, New York Central Railroad Company Law Library.

JOHN KI, University of Baltimore.

ROY L. KIDMAN, University of California Law Library, Los Angeles.

ELEANORE V. LAURENT, New Jersey State Library.

ELEANOR N. LITTLE, Harvard Law School Library.

Mrs. SHIRLEY J. MANN, Howard University Law Library.

ROY M. MERSKY, Yale Law School Library.

MILAN MOACANIN, Los Angeles County Law Library.

Mrs. DOROTHY MURPHY, University of Buffalo Law Library.

DORIS PAGEL, University of Minnesota Law Library.

BASIL IVOR ROSS, Stanford University Law Library.

Mrs. CHARLOTTE HOLMAN SHERR, Columbia University Law Library.

WILLIAM E. STATHAM, Indiana Supreme Court Law Library.

JOHN D. STEPHENSON, University of California Law Library, Los Angeles.

GEORGE A. STRAIT, Worcester County Law Library.

Mrs. RUTH TIBBETTS, Worcester County Law Library.

JULIEN C. WHALEY, DePaul University Law Library, Chicago.

EDWARD WISEBLOOD, University of Nebraska Law Library.

FRANCES B. WOODS, Yale Law School Library.

Mrs. FLORENCE FERNER ZAGAYKO, Columbia University Law Library.

BOOK REVIEWS

The Art of Advocacy, by Lloyd Paul Stryker. New York: Simon and Schuster, 1954. pp. 306. \$5.00.

"The art of advocacy! It is an art, indeed, but one which in these later days has fallen into neglect, judging by the lack of enthusiasm evinced for it in many of the law schools as well as in the forum where both its theory and its practice are of such vital moment to those who would essay it as well as to those for whom it is essayed. * * * The art of advocacy is unlimited in its scope. It is a study large enough to attract the ablest and best of men."

These excerpts from the facile pen of New York's scholarly and able trial lawyer set the pattern and theme of the latest of his valuable contributions to the literature of his profession.

The Art of Advocacy, Mr. Stryker tells us, is based upon the substance of fourteen lectures delivered before the Yale Law School during the winter of 1952-53, edited and arranged "to render the book of interest to the lay public as well as to lawyers, since the subject deals not only with the courtroom, but with the fundamental philosophy of persuasion." The result is a veracious and fascinating picture of the courtroom and skilled practitioners applying their art—through jury examination, opening address, presentation of case, cross-examination and closing argument—all to the end that complete truth may be revealed and justice done.

Mr. Stryker's chapter on "The Opening Address" is one that should be read and reread by every lawyer who aspires to success in trial work. "Too little", says the author, "has been said or written on the importance of the opening address. It presents many dangers, and, at times rare opportunities. It is a prelude, an introduction, and a preface, or, as they say in movie parlance, a preview of the case about to be presented. It is a distinct and special art." Apt and dramatic examples are cited to establish the point.

Two chapters are devoted to the "typical Anglo-Saxon right of cross-examination"—"a bulwark of liberty" and "an incomparable art." Didacticism and pragmaticism are combined to demonstrate the dangers and values of this "greatest legal engine ever invented for the discovery of truth" (Wigmore). The well selected illustrations range in time from Dickens' fictional account of the cross-examination of Mr. Winkle in *Bardell v. Pickwick* to recent actual experiences in the author's practice. Included are accounts of Lord Carson's cross-examination of Oscar Wilde in his libel action against the Marquis of Queensberry, Sir Edward Marshall Hall's cross-examination of the visiting nurse in his defense of Annie Dyer for infanticide, Joseph Choate's cross-examination of Russell Sage in *Laidlaw v. Sage* (where an unwarranted, vicious cross-examination necessitated rever-

sal), and John McIntyre's cross-examination of Jack Rose in the first trial of Police Lieutenant Becker (where an arbitrary and unjustified curtailment of the right of cross-examination brought a reversal and a new trial).

One of Mr. Stryker's admonitory paragraphs on the dangers of cross-examination should commend itself to all would-be trial lawyers, and merits quotation: "Cross-examination is like firing a Roman candle. First you light it, and, holding it in your hand, you make sure that the sparks do not get into your eyes. As you rotate it very gently, in a flood of fire a ball emerges with a loud report. Thoroughly alight, the sparks now burst out in a flood and every now and then there is a ball. But if you hold the candle inexpertly, or if it is itself defective, the ball, instead of gracefully describing a parabola in the sky, may fire backward up your sleeve and burn you badly."

Mr. Stryker's chapter on "The Closing Speech" is a short classic on the art of persuasion. Here, again, the examples given—speeches by great advocates in great causes—are thrilling reading. The excerpt from the argument of Thomas Nelson in behalf of President Andrew Johnson in his impeachment trial is spine-tingling. Mr. Stryker is of the old school which believes that oratory is still an effective weapon in the advocate's arsenal,—oratory that will "lift your jury from mere logic to the springs of action that transcend cold reasoning to the feeling and emotion that govern, inspire and produce a verdict."

The second half of Mr. Stryker's book is, as the sub-title indicates, a

plea for the renaissance of the trial lawyer. The plea is fairly premised, and wholly adequate. With the development of "the business end of the law business", "the art of advocacy has fallen to its lowest point, and in many quarters is looked upon with disfavor and with a feeling not far removed from contempt." For this condition, says the author, the law schools are largely to blame, and he quotes Arthur T. Vanderbilt, Chief Justice of the Supreme Court of New Jersey, and former Dean of New York University Law School: "Advocacy is not a gift of the Gods. In its trial, as well as in its appeal aspects, it involves several distinct arts, each of which must be studied and mastered. Yet, no law school in the country, so far as I know, pays the slightest attention to them."

Mr. Stryker justly argues that in our developing social complexities, with resulting increases in crime and delinquency, and unscientific methods of dealing with crime and criminals, it is more important than ever in the past that persons accused of crime be assured the inestimable safeguards of a fair and impartial trial—a trial which recognizes the ancient bulwarks—a jury immune from illegitimate influences from newspaper propaganda as well as from interested individuals, the presumption of innocence and proof of guilt beyond a reasonable doubt.

And it is equally essential, concludes Mr. Stryker, that there should be a change in the public attitude toward lawyers who defend persons charged with crime: "Can anyone then deny that now more than ever there is a crying need for trained advocates,

strong, able, willing, and unafraid to stand between the accused citizen and the legions of society ranged against him—between the defendant and the embattled press, between the man under indictment and the public clamor of the moment? We have had such advocates in the past—men like John Adams, Daniel Webster, Rufus Choate, Abraham Lincoln, Martin Littleton, and a host of others. Are we still breeding them or are they a dying race! * * * Is advocacy needed in the criminal courts? Is there a need for great engineers and great surgeons? Is there still a need for able generals? Then there is indeed a place for good advocates who are unafraid, and who know how to stand their ground on all the battlefields of justice, including that most bloody one that is found every day within our criminal court-rooms. When that day comes, as in a declining Rome and in Revolutionary France it came, when there are none left able or brave enough to engage in this unending warfare, the liberties of American citizens will perish, and tyranny will reign supreme even as it now reigns in Moscow and in every dastard totalitarian outpost."

Mr. Stryker's *Art of Advocacy* is a "must" for any lawyer or law student who hopes to excell in trial work. It should be read and pondered by every lawyer and serious-minded citizen who is interested in the efficient functioning of our courts.

FRANCIS X. BUSCH
Chicago and
Wetumpka, Alabama

1. Dicey, *Introduction to the Study of the Law of the Constitution* (9th ed. 1939). See also Dicey, *The Development of Administrative Law in Eng-*

French Administrative Law and The Common-Law World, by Bernard Schwartz, with an introduction by Arthur T. Vanderbilt. New York: New York University Press, 1954. pp. xxii, 367. \$7.50.

The importance to Anglo-American lawyers of French administrative law has been stressed, and overrated, ever since Dicey's famous treatise.¹ Its influence, however, on either English or American law is spurious at best. Unlike the administrative law of Austria which has ripened into a most mature code of procedure, many features of which are no doubt worth imitating, French administrative law commends itself only in certain spots to us, notably as far as liability for misadministration is concerned. Yet, the words *droit administratif*, copiously used by this and other authors who have dealt with the subject, seems to have exercised an overawing influence, particularly on those who think that somehow our way of life would be impaired by the recognition that there is and necessarily must be administrative law in America, too.

The author has with great erudition collected much that can be said about French administrative law without, however, giving a comprehensive picture of the actual working of the French administration; and he has consciously assembled his material in comparison with and parallel to our law. This method of assembly enables American lawyers to find subjects dear to them, such as judicial review, abuse of discretion, or findings of facts, and to see them discussed as if the French

land, 31 L.Q.REV. 148 (1915); Dickinson, *Administrative Justice and the Supremacy of the Law* (1927).

system were somehow a part of ours despite its peculiarities. Conversely, topics where American administrative law is yet in a primitive stage, such as administrative res judicata or stare decisis, are not discussed though French law has reached very definite developments on these points.

The author's desire to represent everything through American glasses has at times led to unnecessary boseness. Thus, the author recalls that the American President prior to the steel seizure case² was often thought of as having "inherent" powers to execute the law (not merely "the laws") faithfully. This, or at least most of it, is now a matter of the past³ and it may be added that to term those allegedly existing implicit powers "inherent" was never a happy thought, for legal powers, as Bracton knew in the year 700 before Kelsen,⁴ stem from law, i.e., in our President's case, from the Constitution as construed by the courts who have final authority to construe it. The term "inherent," however, is even more superfluous in regard to the Prime Minister of France, i.e., of a country that believes in the supremacy of the statute. Article 47 of the French Constitution, as the author observes, entrusts the Prime Minister with the execution of the laws;⁵ but it is quite unnecessary to call this an inherent power, even though this term may have been used in a decision in 1919. For, as the author admits, the Prime Minister has no such broad "welfare powers" as used to be as-

2. *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579 (1952).

3. *Ibid.*

4. Bracton, *De legibus et consuetudinibus Angliae*, I, 7, 5 (ca. 1258) (the law makes the king, not vice versa).

cribed to the American President (and which inaccurately might be termed "inherent"); rather, he merely has what the Constitution says: the obligation to execute, i.e., to act pursuant to, existing law. And in France this means statutory law. In other words, the position of the Prime Minister in the legal hierarchy is below and not equal to the statute-making level. Upon careful reading, this conclusion can eventually be gleaned from Schwartz's book, but this comes only as an anticlimax.

In his dealing with both separation of powers and the "rule of law" the author again, somewhat naively, presents the older American point of view as his central post of observation, namely, that courts are here to "restrain excesses by the executive branch." (But who restrains the courts?) France, the country for whose benefit Montesquieu's famous, albeit obscure, treatise on separation was written, is represented as following the separation doctrine only insofar as she lives up to this "rule of law" standard, in other words, imperfectly. A more detached observer, however, might point out that the "lack of judicial control" (i.e., the control of administrative organs by tribunals other than the ordinary courts, coupled, incidentally, with, as the author notes, a tort liability which is quite superior to our rudimentary beginnings) is exactly what Montesquieu and his European followers have thought to be the truly desirable separation of powers. And in his final chapter, the author conceives the "rule

5. But his measures must be countersigned by the Cabinet Minister concerned, a not inconsiderable detraction from the Premier's power which the learned author does not mention.

of law" in the no longer prevailing sense of Dicey or Dickinson as synonymous to rule or, indeed, supremacy of the judiciary. However, the author finds that in France⁶ the Council of State fulfills its controlling function satisfactorily. The author's treatment of the procedure before that tribunal is lucid.

French law is criticized for permitting written proceedings.⁷ The author does not make it clear, however, that the system of written proceedings is mostly confined to appellate procedure and that it has worked extremely well in all walks of European appellate proceedings everywhere.

The author's discussion of the tort liability of both administrative offices and the state is extremely useful and should serve as a guide to those who prefer obscure phrases such as "sovereignty"—a word almost as silly as "inherent"—to clear legal principles. One would only wish the author had cast a comparative glimpse on the still more developed governmental and municipal liability in other jurisdictions such as Germany, Switzerland, or New York.⁸

All in all, a useful treatise destined to rank among the standard works on foreign law.

REGINALD PARKER
Willamette University
College of Law

Revista Jurídica de la Universidad de Puerto Rico, Vol. 22 (1952-53).

6. Still the freest country on earth, according to most observers.

7. The mere right ". . . to file one's claim—to drop it, so to speak, into the governmental slot. This . . . is . . . foreign to our system of law." This quotation (p. 135 of the book) is taken from *WJR, The Goodwill Station v. FCC*, 174 F. 2d 226,

Rio Pedras, Colegio de Derecho de la Universidad de Puerto Rico, 1953. pp. 475. \$3.00.

In 1953 the University of Puerto Rico celebrated the fiftieth anniversary of its establishment. Within these fifty years the University has grown from a small college of education into a mighty institution of nine faculties and 10,000 students. To commemorate the event, the Law School decided to turn the entire twenty-second volume of its law review into a festive symposium. The stately volume of 475 pages, of which both an English and a Spanish version have been published, aptly reflects the special position which the Commonwealth of Puerto Rico, its University, its Law School and its law have come to occupy within the framework of the United States.

When, in 1898, the island of Puerto Rico was taken over from Spain, the basic codes and statutes of Spanish law were left intact, at least in the fields of private law. But in the course of years, American elements were added to this civil law base, so that Puerto Rico, along with the Philippine Republic, Louisiana, Quebec, the Union of South Africa and the Dominion of Ceylon, belongs to that interesting group of countries in which the world's two great legal systems, civil law and common law, have come to interpenetrate each other. In this way Puerto Rican law is expressive of the special position which Puerto Rico

236 (D.C. Cir. 1948). The author, however, fails to note that that case was reversed on this very question! *FCC v. WJR, The Goodwill Station*, 337 U.S. 265, 275-76 (1949).

8. See Street, *Governmental Liability: A Comparative Study* (1953).

has come to occupy as a place where American and Latin cultures meet and vie with each other in friendly, but nevertheless lively competition and where, the frantic obstruction by an infinitesimally small group of fanatics notwithstanding, a way is being found for the integration into the political and economic totality of the American empire of a country of vigorous Latin traditions.

Recognizing the unique opportunities of this situation the faculty of the College of Law of the University of Puerto Rico, under the energetic leadership of its dean, Professor Manuel Rodriguez Ramos, and inspired by the dynamic personality of the Chancellor of the University, Don Jaime Benitez, has planfully engaged upon the cultivation of comparative law. For the last ten years the Law School has regularly invited visiting professors from common law and civil law jurisdictions to participate in its teaching program. Comparative law also constitutes the theme of its Fiftieth Anniversary *Festschrift*. In addition to two members of the Law School's own faculty, professors Guaroa Velázquez and David M. Helfeld, there are represented in the volume authors from the continental United States, France, Germany, Uruguay and Spain. Their articles range over philosophy of law, history, comparison of legal methods, private law of contracts and torts, civil procedure, criminal law and economics.

The wealth of content will be indicated by the following brief survey of the articles:

In an essay of sixty-three pages on *The Idea of Justice in the Holy Script-*

tures, Hans Kelsen presents the development through which the ideal of justice has passed among the ancient Hebrews, especially the transformation of the ancient concept of justice as retribution into Jesus' new justice of love and Paul's mystic justice as the secret of the faith in the spiritualized Kingdom of God. Together with his book on retribution as the notion of justice of primitive society in general and his articles on the transformation of the concept of justice among the Greeks, this essay belongs to that line of incisive investigations into the history and sociology of the substantive contents of the law, which constitute the counterpart to those inquiries into the pure theory of law in the formal sense for which Kelsen has become principally known, but which form but one part, although a methodologically strictly separate one, of his far flung life work.

A link in a major line of research is also constituted by the article of Professor Mitchell Franklin, of Tulane University, on *The Kantian Foundations of the Historical School of Law of Savigny*. The article should be read together with the essay on *The Influence of Savigny and Gans on the Development of the Legal and Constitutional Theory of Christian Roselius*, which Professor Franklin has just published (in English) in the *Festschrift für Ernst Rabel*.¹

The Western world's legal systems are usually divided in the two groups of common law and civil law, and the difference between the two is generally stated to lie in the contrast between case law and code law. In his short

1. Tübingen, 1954.

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essay entitled *Common Law and Civil Law: An Elementary Comparison*, the present reviewer has tried to show that differences caused by social and political factors both cut across the traditional lines and are more important than those which allegedly exist between case law and code law.

In an acute and detailed analysis, the differences which actually exist between *The Judicial Process in the United States and in France* are studied by Professor Arthur von Mehren, of Harvard Law School, who has also presented a counterpart on *The Judicial Process in the United States and Germany*, in the just mentioned *Festschrift für Ernst Rabel*.

An important problem of legislative technique and policy is investigated comparatively by Professor René David, of the University of Paris, in his article on *The Distinction between Lois Impératives and Lois Supplétives in Comparative Law*. A clear recognition of this distinction should be helpful both to the scholar who wishes to explore the effectiveness of "social control through law" and to the draftsman who is anxious to find the proper form for the expression of a legislative policy.

Ernst Rabel has contributed, as a "specimen of comparative law", a survey of *The Main Remedies for the Seller's Breach of Warranty*. As one would have expected, this inquiry, which has grown out of the master's long concern with the international unification of the law of sale of goods, constitutes a model of the way in which widest breadth of learning should be combined with utmost exactness of detail and conceptual formu-

lation to achieve that creativeness of thought through which the firm traditions of the law are adapted to new needs.

A significant problem of strictly circumscribed scope, taken from the law of torts, is comparatively discussed in the article on *Delictual Responsibility for Ruinous Buildings to Persons and Property outside the Premises* by Professor Ferdinand Fairfax Stone, Director of the Institute of Comparative Law of Tulane University.

An illustration of the way in which a legal system is conceived in the legal theory of Latin America and in which there is defined the place in such a system of a special field, viz. of civil procedure, is presented by the article contributed by Professor Eduardo J. Couture, of the University of Montevideo, Uruguay, on *Meaning, Style and Scope of Civil Procedure*.

More specifically concerned with Puerto Rico are the articles by Professor Joseph Dainow, of Louisiana State University, Professor Luis Jiménez de Asúa of the University of Madrid, Spain, and Professors David M. Helfeld and Guaroa Velázquez of the University of Puerto Rico. In his article on *The Method of Legal Development through Judicial Interpretation in Louisiana and Puerto Rico*, Professor Dainow compares in what ways and with what results civil law and common law have interacted upon each other in those two jurisdictions of the United States in which they were brought into immediate interplay. The effects of such penetration in the key field of private law are discussed in Professor Velázquez' study of *The Law of Obligations in Puerto Rico*.

during the First Half of the 20th Century. In the light of general and comparative legal theory, Professor Jiménez de Asúa, in his article entitled *Taking the Law into One's Own Hands*, acutely criticizes those provisions of the American-made Puerto Rican Criminal Code which try to define those situations in which self-defense and self-help are permissible. Connecting law with economics and with the successful efforts of the administration of Governor Luis Muñoz Marin to strengthen the economy of the Commonwealth of Puerto Rico

and to improve the conditions of Puerto Rican labor, Professor Helfeld explores in his contribution the *Factors Conditioning Puerto Rican Labor Policy.*

With its rich fare the anniversary volume constitutes an important contribution to comparative law. It should not be missing in any major law library, irrespective of whether or not it also has on its shelves the other volumes of the *Revista Jurídica.*

MAX RHEINSTEIN
University of Chicago
Law School

BOOK NOTES*

American Bar Research Center, Publication No. 1, May, 1954. Chicago: American Bar Research Center, 1954. pp. viii, 142.

Even before the doors of the American Bar Research Center building are opened, Publication No. 1 of the Center was published in order to emphasize that part of the work of the Center which is "to obtain information as to unpublished legal theses in the libraries and files of the accredited law schools of the United States, and also current legal research projects in such law schools" (p. iii). Unfortunately, there is no statement in the volume concerning the period which it covers although supplements to the present list as well as new lists are apparently planned. All items are listed by subject, and Erwin C. Surrency had the hardly enviable job of arranging the entries which he had not seen by the subject which may have been expressed in the title of each indexed item. The volume lacks alphabetical indexes by author's names and other bibliographical refinements to which we have become accustomed. Subject to these limitations, the volume fills a long felt gap in our knowledge of the unpublished work which has been accomplished in law schools.

* Unsigned Book Notes are written by the Editor.

Butterworths South African Law Review, 1954. Durban: Butterworth & Co. (Africa) Ltd., 1954. pp. 197. 35s.

According to the Introduction, this Review which is published under the auspices of the Faculty of Law of the University of Cape Town, is slated to emphasize the importance of the academic study of law and to become a vehicle for the publication of monographs which are the product of "basic investigation and research". The seven contributors to this volume (six of whom wrote in English and one in Afrikaans) deal with subjects ranging from constitutional law to the law of family relations, contracts and delicts. The citations are to authorities in Roman-Dutch and common law. The continuation of the Review in annual volumes is planned.

Catalogue des Sources de Documentation Juridique dans le Monde—A Register of Legal Documentation in the World, prepared by the International Committee of Comparative Law. Paris: UNESCO, 1953. pp. 362. \$4.00.

For the first time, the sources of law (current constitutions and codes, publication media of statutes and decrees, reports of

judicial and administrative decisions and digest thereof, etc.), centers of legal research and instruction, and important legal periodicals of all major and most minor countries are listed in one volume. When a particular legal or religious system prevails in a country, this has been stated.

The listings are, of course, frequently sketchy and incomplete and at times out of date or erroneous. Our own Association's address, for instance, is given as Baltimore, Md., and in the enumeration of American loose-leaf publishers only the Bureau of National Affairs and Pike and Fischer are listed although some Commerce Clearing House and Prentice-Hall publications are listed under the subject which they cover. Oddly enough, under "Centres of Legal Documentation" in the United States, law schools and law school libraries and the Law Library at the Library of Congress are missing.

Such errors and omissions are doubtless to be expected in a publication of this comprehensive character. Yet, they do not detract from the desirability of this publication—they are merely proof of the need to use shortcuts to knowledge with caution and at times extreme caution, and above all to look out for recent developments and, as regards the local applicability and subject coverage of legislation, for the little known exception to the easy-to-find rule. The editorial deadline is not stated in the volume, but apparently was mostly in 1949 or 1950.

If used by properly qualified persons, the Register will be an indispensable aid to legal research and practice on an international level; but like many other research aids, the Register might well become the source of much misinformation if used by the easily impressed novice for whom it is hardly intended.

Proceedings, Second Workshop on Law Library Problems, October 23-24, 1953. Chicago: Chicago Association of Law Libraries, 1954. pp. iv, 85. \$2.00.

Compiled and edited by Kurt Schwerin and Frank Di Canio, this record makes available the papers, reports and discussions presented at what must have been a rewarding conclave of law librarians representing seven Midwestern States. Held at the University of Chicago, the Workshop featured consideration of such practical problems as the utilization of documents, cataloging concepts, the disposition of duplicates, and law library administration. Names of the participants and

the specific topics treated are noted in Mr. Schwerin's summary of the event in 47 Law Library Journal 41.

The liveliest feature was undoubtedly the proposed program for preparation for law librarianship courageously submitted by Dean Lester E. Asheim of the University of Chicago Graduate Library School to a blood-thirsty panel of practicing law librarians for critical appraisal. Dean Asheim's thesis that a law librarian should be first and foremost a librarian and only secondarily a subject specialist was expressed in a plan calling for three years of general undergraduate work followed by a year of general librarianship training, then a year of regular law school courses with an additional year of mixed diet of courses from both library school and law school.

The panel, composed of Bernita J. Davies, Marian G. Gallagher, Annabelle M. Paulson and Miles O. Price, responded with pointed, candid and spirited comments, followed by a short rebuttal by Dean Asheim. (For echoes of one panelist's position on this and a related subject, see 41 Law Library Journal 114-118.)

Included with the proceedings are a table of contents, a program, a list of registrants, and a number of useful tables of executive orders compiled by Jean Ashman. The remarks of Professor William W. Crosskey, delivered, we are told, at a luncheon meeting, on "An Author Looks at Libraries", do not appear.

RILEY PAUL BURTON

Scientific Employee Benefit Planning, by Howe P. Cochran. Boston: Little, Brown and Co., 1954. pp. xx, 354. \$10.00.

This is another tributary to the swelling stream of literature on employees' benefit plans. Despite its high sounding title the book is actually nothing but an introduction to and a basic text of the field of pension, profit-sharing and stock bonus plans. It is addressed primarily to the lawyer who is a novice in the discipline and is designed to teach him the essential know-how, the fundamental do-and-don'ts in the establishment of such plans. It stresses mainly the tax aspects of the subject and endeavors to impart practical advice for the attainment of the greatest tax advantages to all concerned. It focusses on the needs of the small and medium-sized employer.

The book is well organized and written in a readily comprehensible manner. But what the author in his introduction calls "a con-

versational vein" is unfortunately an excessive amount of empty prattle which makes for tedious reading, wastes valuable space in the actually very short book, and is not always in good taste. In addition there is a strong undercurrent of anti-union bias which leads in some instances to advice of questionable wisdom. An example might be illustrative of these characteristics of the book claimed to be "scientific". In the chapter entitled "Bugs" in Section 165 Plans we read: "Union Demands a Voice in Plan: Now here is a bug as big as a dinosaur. There eventually may come a time when the union demands and gets a trustee on the pension plan. This is accompanied by many repercussions. The union learns the amount of the officers' salaries and the amount of the officers' pensions. The D.D.T. for this bug is to have the plan and the trust drawn in advance in three parts—one part to cover the officers, one part to cover the union members, and one part to cover the remainder of the beneficiaries. This device thwarts the union in its search for information about the top brass" (p. 219, 220). The whole treatment is geared exclusively to the self-interest of the employer. There is also precious little information about appropriate or customary benefit levels. The book would have gained immensely if the author had fancied himself less a Will Rogers and concentrated more on the non-tax side of his subject.

STEFAN A. RIESENFIELD
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Vocabularium bibliothecarii, begun by Henri Lemaitre, revised and enlarged by Anthony Thompson. Paris: UNESCO, 1953. (UNESCO Bibliographical Handbooks) pp. 296. \$2.00.

This English-French-German dictionary of library terms is the result of the cooperation of French, English and German librarians and contains 2,100 terms, mostly without definitions. The dictionary is published in classified form according to the Universal Decimal Classification. Alphabetical word lists in the three languages of the dictionary help locate each term. One fourth of each double page is blank and intended for annotations by the reader. The inclusion of additional languages in the dictionary is planned.

The Vocabularium will doubtless find much use by order librarians and catalogers who work with languages other than their own.

Taxation in the United States, by Randolph E. Paul. Boston: Little, Brown & Co., 1954. pp. xii, 830. \$12.50.

The author's stated purpose is to afford the American electorate a history, written in simple, ordinary language, of taxation and fiscal policy in the United States from its beginning in colonial days to the present time in order to aid in understanding the federal tax system and in distinguishing "the wise from the unwise in fiscal policy." It is Mr. Paul's belief that the Government cannot effectively deal with the problems created by the current world situation unless the electorate is able to understand and to discuss intelligently the philosophy which should shape our revenue policies.

Though the terminology used is readily understandable, the objective is essayed through nearly eight hundred pages of repetitious and none too interesting verbiage. However, the reader who struggles through it will have been thrown in contact with an abundance of information. The author discusses fully the historical development of federal taxation as well as Anglo-American precedents. He also incorporates various theories of taxation, including, among others, those of Colin Clark, John Maynard Keynes and Beardsley Ruml. Likewise, he gives the history of the adoption of the Sixteenth Amendment and goes thoroughly and exhaustively into the framing of the various tax acts under it, with increasing detail as one approaches the last two decades. In discussing these later acts, he includes proposed amendments and proposed substitute amendments whether or not they were accepted. He also sets out extensively testimony in committee hearings, both for and against the particular act, and likewise gives pertinent and pungent quotations from leading newspapers. There are statements of attitudes entertained toward the acts by various individuals versed in tax matters, and by organizations such as the CIO and the National Association of Manufacturers. The book contains discussions of the various kinds of taxation such as the undistributed profits tax, corporate taxation, percentage depletion exemption, and, of course, income taxation. One entire chapter is devoted to the story of progressive taxation and its justification. There is a comprehensive discussion of the depression years, particularly in relation to taxation and fiscal policies. In similar fashion, attention is devoted to the constitutional aspects of taxation.

These illustrations of the contents, though not exhaustive, perhaps are sufficient to indicate the scope of the vast amount of material in the book. Doubtless, it is valuable to have such material available. But the value is greatly curtailed by the sparseness of documentation, so that, for many of the opinions quoted and facts stated, it is impossible, from the book itself, to ascertain the original source. Inasmuch as the quotations have been lifted out of context, one cannot be certain whether they are used consistently with the sense in which they were first stated. Hence, the reader frequently is left in doubt as to the correctness of the conclusions reached by the author. Adequate documentation obviously would have enlarged greatly the size of a volume already overwhelming in bulk. But its lack will handicap seriously the careful reader who wishes to check the matter in its original context. And the ordinary citizen, neither interested in documentation nor ambitious to become informed about tax law, rarely will bother to wade through so many pages. The few citations of cases and material are not as useful as they would have been if a bibliography and table of cases had been included, or if they had been listed in an otherwise comprehensive index.

Despite these faults, it is worthwhile to have so extensive a compendium of information, and so wide an avenue of approach to tax philosophy. But it is regrettable that such an able author, an acknowledged and proven authority in the tax field, does not accomplish the aim which he set for himself.

ORPHA A. MERRILL

MAURICE H. MERRILL

University of Oklahoma
College of Law

Justice George Shiras, Jr., of Pittsburgh, by George Shiras III, edited and completed by Winfield Shiras. Pittsburgh: University of Pittsburgh Press, 1953. pp. 256. \$4.50.

This book is something more than a biography. It is a history of early Pittsburgh and the Ohio, and the finding of iron ore in the open wilderness along the south shore of Lake Superior.

Justice Shiras' ancestors were Scotch, settling in Pittsburgh in 1795. They established the first brewery in the West.

Graduating from Yale in the famous Class of 1853, George Shiras, Jr. studied law in a lawyer's office, was admitted to the bar in 1855, and practiced in Pittsburgh where he

attained high standing in law and in social, business and financial circles.

These forces were instrumental in having him appointed to the Supreme Court by President Harrison in 1892, in spite of opposition by the powerful Senators Quay and Cameron.

The customs of the Court are described. The background and personalities of his colleagues are portrayed, and the important cases heard by the Court are discussed, including the famous Income Tax case of 1895, in which Shiras was criticized for changing his vote after reargument.

At the age of 71 he retired from the Court, although in good health and unimpaired faculties.

Always an ardent fisherman, a lover of nature, and an omnivorous reader, he found contentment in these hobbies until his death in 1926 at the ripe age of 92.

This book is in a large measure the work of George Shiras III, a distinguished son of the Justice. By the skillful use of impressionistic passages, he illuminates the man and the period, and keeps them running together in a colorful and compelling drama.

Laurie H. Riggs

Examination of Insurance Companies, prepared under the direction of Adelbert G. Straub, Jr., Deputy Superintendent of the New York State Insurance Department. New York, State Insurance Department, 1953. 2v. to date. \$7.50 per volume.

Long a leader in the field of state insurance regulation, the New York State Insurance Department for years has felt that thorough examination of insurers is a key factor in any successful regulatory program. Recognizing the implications inherent in the recent rapid expansion of multiple line operations of insurers, the Department anticipated a need for even greater technical proficiency and perspective on the part of its examination corps if the problems accompanying this growth were to be adequately handled. As a consequence, a comprehensive in-service training program, consisting of weekly lectures spread over a three year period, was recently inaugurated for the benefit of its junior and assistant examiners. The two volumes here reviewed contain the initial lectures in the series and presumably they will be followed by others of similar nature as the program unfolds. Led by staff members of the Department, with years of actual experience in examination techniques,

the series is also highlighted with lectures of leading company executives who likewise are experts in their respective fields.

The letter of transmittal of Volume 1 (p. vii) expresses the hope that the series will stimulate colleges to offer "more . . . specialized instruction . . . in this expanding field, thereby providing appropriately trained employees to both supervisory authorities and the insurance business." The reviewer deprecates the suggestion, implicit in this statement, that specific college "courses" are prerequisite to the achievement of competency in a particular area. Rather, he is constrained to suggest that collegiate training should seldom be attempted on so specialized a level, but instead should be designed to equip students with a background and core of information and understanding which will enable them to absorb quickly and utilize adequately the rich content of technical books such as these. The reviewer therefore apprehends that a prime justification for printing these lectures is to afford those who actually heard them a convenient opportunity for refreshing their recollection and for clarifying difficult problems, as well as to provide a storehouse of information for future trainees and others who could not attend the inaugural lectures.

The lectures comprising Volume 1 deal largely with background matters: a history of the New York State Department, its organization, administration, powers and functions, a bow to the National Association of Insurance Commissioners, a study of the insurance business itself, approached through a consideration of specific "lines", viz., marine, fire, etc., and concluding with a most enlightening chapter on the multiple line concept.

Volume 2 gets down to consideration of the meat of the series: Examination of Insurance Companies. Recognizing the factor of human relations, its first part is devoted to the matter of applied psychology useful to insurance examiners. This is followed by a discussion of the New York law regulating insurers, their agents and brokers. Part Three is directed to the fundamentals of examination practices and procedures and to the audit and analysis of annual statements. The bulk of the materials appear in Part Four where nearly 500 pages are de-

voted to the problem of examination of insurer's assets. To facilitate the discussion, the latter are broken down into securities, real estate, cash, premiums in course of collection, etc.

Mechanically the books are attractively designed and executed. The type size, face, and spacing make for easy reading. In addition, frequent black face heads and subheads facilitate prompt location of particular material—a feature not unimportant in view of the fact that there are no volume indices. The absence of indices, while annoying, will be somewhat offset by having an index, complete in one place, when the set is concluded. The current volumes contain appendices, that in Volume 1 being composed simply of a reprint of the standard fire policy. That in Volume 2, however, runs some 142 pages, and is composed of facsimiles of New York forms of annual statements, with accompanying instructions and schedules, required of life companies and fire and casualty insurers. In addition, various charts, tables and exhibits are interspersed throughout the books.

Judging from these initial volumes, which appear to be competently done, the series contemplated will be monumental. In addition to the uses already mentioned, the materials would appear to be highly instructive and suggestive to officials of state insurance departments, to legislative committees, and to attorneys general in the various states, as well as to counsel who may represent insurers with respect to regulatory matters generally and this phase of regulation in particular. It is a work worthy to be shelved in a research library, particularly a research library specializing in insurance materials. Its acquisition by the average law school library, however, would seem more dubious. Clearly the volumes reviewed do not touch, much less cover, the field traversed by the traditional law school course in Insurance. Even in those colleges of law which provide a rather ambitious offering in the field of business regulation the volumes must needs be considered so highly specialized as to be labelled, "Purchase when budget lush."

ELBRIDGE D. PHELPS
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College of Law

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Compiled by WILLIAM D. MURPHY

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Reports..... . . .	West Pub. Co.....	259
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*App. Reports..... . . .	Bancroft-Whitney Co., Advance parts, Recorder Printing & Pub. Co.....	120 (2d)

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Session Laws annual	Welfare & Institutions Ann., 1952; 1953 P. P.	
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Judicial Council Rpts. . . biennial	Hanna Legal Pub. Co., Albany	22 (July-Dec., 1953)
Administrative Code	Judicial Council, San Francisco	14 (1953)
Administrative Register (keeps Ad. Code up-to-date)	State Printing Office	1945, 11v. (loose leaf)
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Supplement	Chief of Office, Panama Canal, Washington, D. C.	Sup. 2, 1943; Temp. Supps. 1-9, 1943-1950

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Baldwin's Revised Statutes . .	Banks-Baldwin.....	1943, 1v.; 1953 Supp.
Russell's Practice and Service	Banks-Baldwin.....	1953 (Civil Prac. and Crim. Code)
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by JEAN ASHMAN AND DOROTHY SCARBOROUGH, *Joint Editors*

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Commerce Clearing House. Federal income taxes of decedents and estates. 1954 ed. Chicago, The Author, 1954. 160p. \$2.00. (Also supplied with subscription to Standard Federal Tax Reports)

Engel, I. M. Income taxes and real estate. Rev. ed. by Raymond Rubin. December 1953 rev. print. New York, Practising Law Institute, 1954. 93p. \$2.00.

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Sundaram, V. S. Law of income-tax in India. 7th ed. Madras, Madras Law Journal Office, 1953. Rs.37.8.

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Monatt, S. M. 1954 guidebook to New York State income taxes on individuals, partnerships, and fiduciaries. Chicago, Commerce Clearing House, 1954. 258p. \$5.00. (Paper)

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Mulla, D. F., ed. The Indian Code of civil procedure. 12th ed. by Sir R. C. Mitter. Calcutta, Eastern Law House, 1953. Rs.40.

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Llewellyn, K. N. and Hoebel, E. A. *The Cheyenne way; conflict and case law in primitive jurisprudence.* 2d printing. Norman, Univ. of Oklahoma Press, 1953. 360p. \$5.00.

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Commerce Clearing House. *Guidebook to Federal estate and gift taxes.* 3d ed. Chicago, The Author, 1954. 145p. \$2.00. (Paper)

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Hanson, G. S. *State and municipal self-insurance.* New York (96 Fulton St.), National Assn. of Insurance Agents, 1953. 72p. Apply.

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Hague, International Court of Justice. *Yearbook, 1952-1953.* New York, Columbia Univ. Press, 1953. 255p. \$2.50. (Paper)

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Columbia University. Law Library. Selected list of articles, international law and relations, comparative and foreign law. September 1952-August 1953. Cumulated from Pt. II of tri-weekly issues of *Interim Supplement to the Index to Legal Periodicals.* New York, Rothman, 1953. 61p. \$2.00.

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Joint Committee of the States to Study Alcoholic Beverage Laws. *Impact on alcoholic beverage control of taxation and mark-up, an official study.* Cleveland (755 Union Commerce Bldg.), The Author, 1953. 52p. Apply.

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California. Legislature. Joint Interim Committee on Governmental Reorganization. *Alcoholic beverage control in California.* February 8, 1954. Sacramento, The Author, 1954. 2v. Apply. (Paper)

Virginia

Virginia. Commission to Study the Alcoholic Beverage Control System. A review of the operations of the alcoholic beverage control system. A report. Richmond, Div. of Purchase and Print., 1953. 26p. Apply. (Sen. doc. 15)

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Hart, H. L. A. *Definition and theory in jurisprudence; an inaugural lecture delivered before the University of Oxford.* New York, Oxford Univ. Press, 1954. 28p. \$0.40.

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Barron, M. L. *The juvenile in delinquent society.* New York, Knopf, 1954. 349p. \$5.00.

Vedder, C. B. *The juvenile offender; perspective and readings.* New York, Doubleday, 1954. 510p. \$6.00.

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Woodfall, William. *Woodfall on landlord and tenant.* 25th ed. by L. A. Blundell. London, Sweet & Maxwell, 1954. 1766p. £6.6s.

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Tweed, Harrison. *The Legal aid society, New York City, 1876-1951.* New York, Legal Aid Society, 1954. 122p. Apply. (Paper)

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Cassady, R. A., Jr. Price making and price behavior in the petroleum industry. New Haven, Yale Univ. Press, 1954. 353p. \$4.00.

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- Smith, A. M. Patent law: cases, comments, and materials. Ann Arbor, Overbeck Co., 1953. 112p. \$18.50.
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- Pensions**
- Cochran, H. P. Scientific employee benefit planning; pensions, profit-sharing and stock bonuses. Boston, Little, Brown, 1954. 354p. \$10.00.
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- Criminal law review. January 1954. London, Sweet & Maxwell, 1954. 30s. a year.
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- Temple law reporter. Vol. 1, No. 1. March 4, 1954. Philadelphia, Temple Univ., School of Law, 1954. Apply.
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- Practising Law Institute. Transcript of Saturday forum on medical proof; a demonstration and panel discussion of a case involving back injuries conducted on March 7, 1953. New York, The Author, 1954. 107p. \$5.00. (Paper)
- Police—Great Britain**
- Allen, C. K. The Queen's peace. London, Stevens, 1953. 192p. 12s.6d. (Hamlyn lectures, 5th series)
- Practice and procedure**
- Belli, M. M. Modern trials. Indianapolis, Bobbs-Merrill, 1954. 3v. \$50.00.
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- Property—Scandinavia**
- Kruse, L. F. V. The right of property. Vol. II. Transl. from the Danish by David Philip. New York, Oxford Univ. Press, 1953. 335p. \$4.25.
- Public utilities**
- Welch, F. X. Preparing for the utility rate case. Washington, Public Utilities Reports, Inc., 1954. 323p. \$10.00.
- Real property**
- McDermott, T. J. Deskbook on land titles and land law. Cincinnati, Anderson, 1954. 711p. \$20.00.
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Turner, J. W. C. *Introduction to the study of Roman private law*. Cambridge, Bowes & Bowes, 1954. 135p. 21s.

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Tax Institute. *The Pennsylvania tax question*. Princeton, The Author, 1953. 146p. Apply.

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Ash, Robert. *Preparation and trial of tax cases*. March 1954 ed. New York, Practising Law Institute, 1954. 85p. \$2.00.

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Fitch, L. D. *Abstracts and titles to real property*. Chicago, Callaghan, 1954. 2v. \$40.00.

McDermott, T. J. *Deskbook on land titles and land law*. Cincinnati, Anderson, 1954. 711p. \$20.00.

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Latin America

Pan American Union. Division of Law and Treaties. Bilateral treaty developments in Latin America, 1942-1952. Washington, The Author, 1953. 243p. \$1.50. (Paper) (Law and treaty series, no. 38)

Trial practice

Biskind, E. L. How to prepare a case for trial. New York, Prentice-Hall, 1954. 206p. \$5.65.

Bodin, H. S. Final preparation for trial; and Selecting a jury. February 1954 ed. New York, Practising Law Institute, 1954. 84p. \$2.00.

— Opening the trial; and Opening to the court or jury by M. W. Littleton. December 1953 ed. New York, Practising Law Institute, 1954. 31p. \$1.50.

— Pleading and practice before trial; and Motion practice and strategy by L. P. Moore. November 1953 ed. New York, Practising Law Institute, 1953. 95p. \$2.00.

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Lake, L. W. How to win lawsuits before juries. New York, Prentice-Hall, 1954. 303p. \$5.65.

Stryker, L. P. Art of advocacy. New York, Simon and Schuster, 1954. 306p. \$5.00.

Trials

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Hastings, Patrick. Cases in court. New York, British Book Centre, 1954. 342p. \$2.95.

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Unemployment insurance—California

California. Dept. of Employment. Sourcebook on unemployment insurance in California. Prepared under the joint auspices of the Department and the Institute of Industrial Relations of the Uni-

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Indiana. Employment Security Division. Unemployment insurance in Indiana: Pt. 1, History of Indiana employment security legislation. Indianapolis (141 S. Meridian St.), The Author, 1954. 23p. Apply.

United Nations

International Bar Association. Committee on the Constitutional Structure of the United Nations. Report, January 1, 1954. New York (501 Fifth Ave.), The Author, 1954. 83p. Apply.

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U.S. Congress

U.S. Library of Congress. Legislative Reference Service. Congressional power of investigation. A study. Washington, Govt. Print. Off., 1954. 59p. Price? (83d Cong., 2d sess., Sen. doc. no. 99)

U.S. National War Labor Board

Richards, A. R. War labor boards in the field. Chapel Hill, Univ. of North Carolina Press, 1953. 281p. \$1.25. (Paper)

War crimes

Appelman, J. A. Military tribunals and international crimes. Indianapolis, Bobbs-Merrill, 1954. 421p. \$8.00.

Wills—New York (State)

Harris, H. I. Estates practice guide. 2d ed. New York, Baker, Voorhis, 1954. 2v. \$33.00.

Workmen's compensation

Hanna, W. L. The law of employee injuries and workmen's compensation. Vol. 1. 2d ed. Albany, Calif., Hanna Legal Publications, 1953. \$12.95.

New York (State)

Sayer, H. D. Workmen's compensation in New York; its development and operations; a series of talks before Special Committee on Workmen's Compensation. New York, Commerce and Industry Assn. of New York, 1953. 126p. \$1.50. (Paper)

Yugoslavia

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Zoning—New Jersey

Romano, Frank. Zoning and planning law in New Jersey, with forms. Newark (1025 Broad St.), Associated Lawyers Pub. Co., 1953. 471p. \$15.00.

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REPORT OF THE TREASURER
For fiscal year ending May 31, 1954
GENERAL ACCOUNT

Cash Balance June 1, 1953	\$12,548.19
ADD RECEIPTS	
Dues	
Institutional	\$2,861.00
Active	1,371.00
Associate	839.00
	\$ 5,071.00
Journal	
Advertising	2,526.20
Subscriptions	975.00
Back numbers (in print)	307.00
Back numbers (microcard)	60.00
	3,868.20
Directory & Memb. lists	14.00
Convention receipts*	1,559.65
Interest	150.00
Reprints	47.29
Address plates	10.79
Library Institute	46.10
	10,767.03
TOTAL TO BE ACCOUNTED FOR	\$23,315.22
LESS DISBURSEMENTS	
Cost to publish Journal (4 issues)	
Printing & mailing	\$6,609.16
Editor's salary	400.00
Secy. Assist. to Editor	139.50
Asst. Editor	60.00
Postage, Tel., & Tel. for Editor	132.22
Supplies for Editor	18.40
Stoljar article	54.20
Salary survey article	35.68
Postage—back nos.	20.00
	\$ 7,469.16
Salaries	
Secretary	550.00
Asst. to Sec.	99.24
Treasurer	250.00
Asst. to Treas.	300.00
	1,119.24
Transportation—Hotel	
Secretary	339.00
Borgeson (US Book Exch.)	67.00
	406.00
Convention expense*	2,205.72
Supplies, Tel. & Tel.	291.09
Postage & Express	262.32
Refunds—Chapter dues	208.00
Library Institute	5.17
Affiliation dues	
CNLA	10.00
Who's Who	50.00
J. of Comp. Law	5.17
	65.17
Committee Expense	
Law Lib. in US & Canada	101.41
Reprints	52.90
Audit	100.00
	\$12,366.18
TOTAL DISBURSEMENTS	\$12,366.18
CASH BALANCE MAY 31, 1954	\$10,949.04

* The convention figures include \$1550.00 receipts and \$1655.50 expense for the Miami convention. The actual profit of the Los Angeles meeting was \$128.35.

The General Account shows an operating deficit for the year ending June 1, 1954 of \$1,599. This means that we have spent that much more than we have taken in.

Here is a tabulation (in round figures) of our receipts and expenses for the last six years, with net profit or loss:

<i>Year Ending:</i>	<i>1949</i>	<i>1950</i>	<i>1951</i>	<i>1952</i>	<i>1953</i>	<i>1954</i>
Receipts	\$6,600	9,100	9,800	9,800	9,200	10,700
Expenses	6,500	6,600	9,200	6,600	10,000	12,400
Balance	7,000	9,000	10,200	13,500	12,500	11,000
Profit	+100	+2,500	+600	+3,300		
Loss					-900	-1,600

This is a simplified picture of our financial decline. It is obvious that we cannot continue to spend more than we make. The problem merits the serious consideration of every member of the Association.

The Journal continues to be our biggest expense. The report shows that it cost \$7,469.00 to publish four issues of the Journal last year. Income directly attributable to the Journal was only \$3,868—a deficit of \$3,600.

The subscription price of the Journal was increased from \$5.00 to \$6.00 last July, and this increase is reflected in this year's figures. The rate of dues was increased also, but except for new members did not take effect until June 1st of this year.

It is probable that it will cost even more to publish the Journal this year—both in printing and editorial expense. The income from subscriptions cannot be expected to rise very much. It is still too early to judge whether the increase in dues causes a decline in membership. Assuming that it does not we can expect income from dues to amount to about \$6,000.00 in 1954-55, or about \$900.00 more than last year. All other factors being equal, our deficit at June 1, 1954 would be cut to \$700.00—an improvement, of course, but still a deficit. This is the problem which faces us, and I hope you will give it some thought before we discuss the situation together at Miami.

Our membership, although far from static in the sense of no turnover, has remained almost the same, with a slight gain in the institutional class. It now stands at an all time high.

	<i>Total Persons</i>	
	<i>1953-54</i>	<i>1952-53</i>
Honorary	1	1
Life	20	19
Associate	54	54
Active	194	194
Institutional	345	340
<hr/>	<hr/>	<hr/>
Total	614	608
Institutional (as a class)	154	149

There are 155 subscribers to the Law Library Journal—a decrease of nine from last year. Four of the nine became members of the Association, and therefore no longer require a subscription. Seven subscribers cancelled, and seven were dropped for non-payment. There were nine new subscribers during the year.

INDEX ACCOUNT *For fiscal year ending May 31, 1954*

Balance June 1, 1953		\$ 7,847.95
Receipts from H. W. Wilson Co.		9,261.74
<hr/>		
TOTAL TO BE ACCOUNTED FOR		\$17,109.69
Less Disbursements		
Salaries	\$ 5,952.00	
Travel expenses	67.31	6,019.31
<hr/>		
Balance June 1, 1954		\$11,090.38

In contrast to the General Account, the Index Account continues on its upward way. The balance on hand will pay the salaries of the indexer and her assistant for the coming year. In addition, next fall we will again receive the annual balance to our credit from the H. W. Wilson Co.

Respectfully submitted,
Elizabeth Finley, Treasurer

**REPORT OF THE SECRETARY
1953-1954**

Reflection upon the year's activities so far as the secretary's activities are concerned brings to mind nothing of unusual significance beyond perhaps a review of the normal flow of correspondence and the constant setting of, and attempting to meet, deadlines of innumerable varieties.

It can be reported, however, that the steady flow of what-do-you-do communications from this office to Margaret Coonan, our predecessor, which characterized each of the 365 days of the preceding year has been curtailed to a limited extent now that in a majority of instances we are carrying out the same routines for the second time! Margaret Coonan is still acclaimed as our very able and exceedingly helpful ally!

Matters requiring decisions by the Board have arisen rather frequently this year and in certain instances have become somewhat involved especially when consideration could not be delayed until a meeting of the Board thus necessitating resort to correspondence for final decisions. The prompt manner in which the Board consistently has responded has made relatively easy a secretarial task which otherwise might have become extremely burdensome. For this and all other excellent cooperation of the officers and members of the Board deep appreciation is extended by the Secretary.

The fact that matters requiring the Board's consideration are arising with ever increasing frequency and in view of the further fact that we have not felt justified in holding mid-winter Board meetings, it is becoming more and more apparent that a planned post-convention Board meeting might very appropriately be included as a part of our future conventions. Informally and to a limited extent such a practice has been followed from time to time in the past. If, however, a regular meeting with a prepared agenda were to become established policy we could look forward to expediting many matters while the Board is assembled. This would serve to "break in" new Board

members, to meet with the following year's Committee on Local Arrangements, etc.

Acknowledgment of appreciation should include the excellent response which has come this year from Committee Chairmen in submitting their annual reports for pre-convention publication by Commerce Clearing House through the generous endeavors of our good friend, Dorothea Blender, Assistant to the President of that firm. Most of the Chairmen responded promptly to the deadline and complied with the innumerable details for submitting copy.

With regard to annual committee reports attention of the Association should be directed to the fact that in February the Executive Board voted favorably upon a proposal to print only summaries of reports in the Journal unless the Association votes otherwise upon specific reports. It is estimated that such a policy will effect our estimated savings of \$200 to \$300 in printing costs annually.

As this report is being prepared word comes from Betty LeBus that the 1954 Directory of *Law Libraries in the United States and Canada* will be in the press by mid-May and it is hoped that copies may be mailed to the membership prior to the Miami meeting. Frequency of calls upon the Secretary's office for copies of the Association's Constitution and By-Laws prompted the request that this edition of the Directory carry these documents which heretofore have been published only as separates. The new Directory has this added feature which should be of interest and help to the membership generally. In view of the fact that we now have six Chapters, it is recommended that the Directory carry a listing of the Chapters together with their officers for the preceding and current years, thereby providing a complete and permanent record in a logical source for such information.

With further reference to the Directory constant requests coming to the Secretary's office for membership lists prompts

the recommendation that a mimeographed listing of new members added during the odd years between issues of the printed Directory would be exceedingly helpful and, we believe, merits consideration for the interest it would have in emphasizing the names and addresses of new members of the Association. This might be expedited through either the Committee on List of Law Libraries or that on New Members.

The Chapters of the Association continue to play an increasingly conspicuous role in the activities of our organization. Last year the Southern California librarians organized officially as a Chapter and at this writing a petition for Chapter status from a group of Southeastern law librarians is awaiting action by the Executive Board at its Miami meeting. This will bring the number of official Chapters to six. It has been very gratifying to have such excellent cooperation from these organizations in maintaining a steady flow of information to the Secretary's office. For details of the interesting features of their work the attention of the membership is directed to the annual reports of Chapter Presidents.

One special secretarial assignment during this year warrants particular mention, namely the chairmanship of the Committee, composed of Elizabeth Finley and George Johnston, on Matthew Bender awards. In March Matthew Bender and Company notified President Elliott that they would sponsor four scholarships, in amounts of \$100.00 each to assist members of the Association in attending the convention in Miami who might otherwise be unable to attend, the Company's only restriction as to choice to be individuals "in the category of younger librarians just starting up the ladder."

Confronted with the necessity for speedy action and due to the fact that we wished to have as wide consideration as possible by individuals in a position to know the candidates personally and professionally, the Committee decided to secure worthy candidates through one nomination from each Chapter. The

Committee hopes to have all nominations in by May 10 and will announce final winners promptly thereafter.

It goes without saying that we are deeply indebted to Matthew Bender and Company for this generous contribution to the work of our Association, to the Chapters and to the successful candidates.

The remarkable achievement in professional literature produced during the year just closed by men whom all of us acknowledge among our chief benefactors should certainly be recorded in any general review of the year's activities and for that reason it is hoped reference to this may not appear inappropriate in the report of the Secretary. The volumes referred to are the following:

Price, Miles O. and Bitner, Harry.

Effective Legal Research. New York, Prentice-Hall, Inc., 1953.

Roalfe, William R.

The Libraries of the Legal Profession. St. Paul, West Publishing Co., 1953.

Marke, Julius J.

A Catalogue of the Law Collection at New York University. New York, The Law Center of New York University, 1953.

There have been other somewhat less extensive publications by other members and, as we note more and more writing among our membership, it would not seem amiss to bring all of this more forcefully to the attention of the Association generally. It is suggested that some consideration be given to publishing such a list in the Journal either once a year or as a subdivision of the Membership News page. Completeness only would assure the worthiness of such an undertaking and that would likely be achieved only with the understanding that all members would automatically notify the listing source of all writings as published in whatever form or medium.

The year has been a busy but pleasant one. The interests and happy associations which have come through service in the secretary's office indeed have been a rewarding experience.

Respectfully submitted,
Frances Farmer, *Secretary*

REPORT OF COMMITTEE ON CHAPTERS

At the Annual Meeting of the American Association of Law Libraries held at Los Angeles last year the Committee on Chapters was created. The purpose was to coordinate the work of these various chapters so that it would prove beneficial to all chapters and to the Association as a whole.

The first year may probably be regarded as the exploratory stage. The ground work laid by this Chapter Committee is the formulation of policies to be followed but which may be modified in the future as needed. Those already formulated are:

1. That all chapter activities should be properly communicated to the Chairman of the Committee on Chapters for transmittal to the President of the American Association of Law Libraries. These communications should be forwarded to the Chairman at regular intervals of perhaps every two or three months.
2. That the various chapters themselves should regularly interchange information concerning their experiences and activities.
3. That the Chapter Committee should promote the work and activities of the individual chapters.
4. That the local chapters should have a voice in the policy-making activities of the national Association.
5. That an invitation for suggestions on new materials or work and activities of local chapters be solicited and studied for adoption.

An elaboration of these five policies by the various chapters can produce a storehouse of information for all libraries. The relationship between librarians and patrons, the development of better librarians by holding library institutes, the preparation of legal bibliographies and promoting methods of legal research, cooperation between libraries, preparing of checklists of holdings and union lists of various libraries to prevent unnecessary duplication, holding of Workshops such as those in Chicago and Ohio to discuss library problems, etc.

Other fields of activity can be added

and formulated with the aim of promoting better library service in the country.

Respectfully submitted,
Charles W. Armstrong
Fannie J. Klein
Sarah E. Leverette
Robert A. Mace
Philip A. Putnam
Bertha M. Rothe
Kurt Schwerin
Frank Di Canio, *Chairman*

REPORT OF COMMITTEE ON CIVIL SERVICE POSITIONS

The mission of this committee for this year has been to maintain contact with the Civil Service Commission on developments in the redrafting of the specifications for library positions and to maintain liaison with the committee of the local chapter working in the same field. Your Chairman has had correspondence with the official in the Commission having cognizance of this matter and has requested consultation with the Commission when the matter arises for decision.

The committee has also kept posted concerning the reopening of examinations for library positions in the U. S. Civil Service. The subprofessional grade of GS-5 remains continually open. It is anticipated that examinations for grades GS 7-12 will be announced shortly. At such a time, literature on the subject will be sent to the membership.

Lillian C. McLaurin, *Chairman*
Mollie Z. Margolin
Lois G. Moore

REPORT OF COMMITTEE ON COOPERATION WITH AMERICAN BAR ASSOCIATION

The Committee on Cooperation with the American Bar Association was organized in an effort to work out some arrangement whereby law libraries could subscribe to the numerous publications of the American Bar Association. During the year the American Bar Association announced plans whereby libraries could

subscribe to a select list of these publications beginning July, 1954. This Committee is glad that this program has at last been undertaken and that it will be a success, but there is still work that this committee could undertake.

A great many libraries have duplicate copies of these publications and the committee could consider methods of distributing these duplicate copies.

The material in the proceedings of the sections of the American Bar Association are valuable to those engaged in legal research, but there is no index which is a handicap to those who wish to use these publications. It is recommended by this Committee that the possibility of compiling such an index be considered by the next Committee.

Your Committee recommends that this Committee be continued as a standing committee of the Association to continue to work with the American Bar Association on these matters and others which will arise. For this committee to work effectively, it is recommended that a resolution be passed requesting that the American Bar Association establish a similar committee to work with this Committee in the future.

Arthur W. Fiske
 Frances S. Henke
 Charles A. McNabb
 Laurie H. Riggs
 Mortimer Schwartz
 Eugene M. Wypyski
 Erwin C. Surrency, *Chairman*

REPORT OF COMMITTEE ON COOPERATION WITH LIBRARY OF CONGRESS

At the 1953 meeting of the Association in Los Angeles, a great deal of interest was expressed in the possibility of the restoration of the publication of the *State Law Index* by the Library of Congress. This Committee undertook an investigation into this matter and learned that an item for \$25,000 is in the current budget of the Library of Congress for the restoration of the *State Law Index*.

Helen Newman, acting as the Committee's contact in Washington, is keeping in touch with the staff of the Library of Congress in connection with the appropriations hearings concerning the *State Law Index*. As of April 1st, no hearings had yet been held. If the hearings are held before the 1954 Annual Meeting of the Association, an oral report on the fate of the *State Law Index* will be given at the Meeting.

Respectfully submitted,
 Helen Newman
 Arthur C. Pulling
 Forrest S. Drummond, *Chairman*

REPORT OF COMMITTEE ON EDUCATION AND PLACEMENT

Activities during the year were routine. The usual voluminous placement correspondence concerning matters relating to positions was conducted, supplemented by frequent personal interviews with both employers and candidates for positions.

This has been the most active year since 1946 for openings in what might be called the \$5000-6000 salary grade of librarians, and the Committee has been hard put to it to find candidates satisfactory to employers. While salaries have risen since World War II, personnel requirements have increased even more. Employers, particularly law school deans where faculty status is involved, look not only into the candidates' law school and previous employment records, but into their personality.

Another serious complaint on the part of employers is that prospective candidates suggested by the Committee, in several instances have failed to answer letters asking if they are interested.

A disquieting trend, if trend it is, was noted during the year. In at least four schools the librarian, who had demonstrated successful teaching ability, was placed under pressure to become a full-time teacher, with the avowed policy of employing a substitute librarian of definitely lower caliber. In one or two of

these instances, the incumbent was to remain as titular librarian, but his library duties were to be only those of a faculty adviser.

Since the personnel files of the Committee are outdated, a new circularization of librarians has been prepared and will probably be completed before the Miami Beach conference.

On the "education" side of the Committee's activities, the projected elementary manual of law library administration has been put on the way to compilation, authors have been selected, and a publisher found. A suggested outline of the book was submitted for criticism to Committee members and to a number of other law librarians, and many valuable suggestions were received. It is hoped that during the coming year the manual may be well on the way to completion.

Respectfully submitted,
 Jean Ashman
 Marian G. Gallagher
 Cyril L. McDermott
 Elizabeth H. Newton
 Mary W. Oliver
 Janet M. Riley
 Miles O. Price, *Chairman*

REPORT OF COMMITTEE ON ELECTIONS

A meeting of the Committee on Elections for the year 1953-54 was held on June 15, 1954, at the Rutgers Law School Library for the purpose of counting the ballots for the election of officers of the American Association of Law Libraries.

The Committee reports as follows:

Three hundred and sixty-four ballots were received by Miss Frances Farmer, Secretary, and forwarded to your Committee. Seventeen were voided because they lacked either the name, or address, or both.

The tallied ballots indicate the following results:

President-Elect:

Carroll C. Moreland 225 votes
 Dillard S. Gardner 120 votes

Treasurer:

Elizabeth Finley 325 votes
Secretary:

Frances Farmer 327 votes
Executive Board Members:

Helen A. Snook 197 votes
 Betty V. LeBus 144 votes

Therefore the Committee declares the following elected:

President-Elect Carroll C. Moreland
 Treasurer Elizabeth Finley
 Secretary Frances Farmer
 Executive Board

Member Helen A. Snook

Respectfully submitted,
 Dorothy E. Chamberlain
 Catherine Stonaker
 Mary Nolan
 Vincent E. Fiordalisi, *Chairman*

REPORT OF COMMITTEE ON EXCHANGE FILES

The Committee reports that the operation of the Exchange, despite the fact that all items are in a currently filed status, is an ineffective specter. The Exchange, unless it is reorganized, will not serve the purpose for which it was organized.

The Committee feels that the lack of success in the operation of the Exchange is due to the inherent difficulties placed in the path of any transaction.

Library with duplicate material:

1. Prepare duplicate listing for Exchange Files.
2. Maintain a list of duplicate slips filed with the Exchange.
3. Maintain the stock of duplicates until an inquiry reaches it, or notify the Exchange Files to withdraw the listing.

Library seeking material:

4. File a want listing.
5. Maintain a list of duplicate want slips until notified of a matching duplicate slip in the Exchange Files.
6. Notify the Exchange Files when it acquires the item so that the want listing may be removed.
7. The Exchange must file all want or duplicate listings and check for matches.
8. The Exchange must notify the library seeking the material of the existence of the duplicate listing.

9. The library seeking the material must then communicate with the library listing the duplicate and negotiate the terms of exchange.
10. Notices must be sent to the Exchange if the exchange is not consummated.

Your Committee is fully aware of its responsibility for a service function of the Association and it regrets that, unless it can be reorganized, it should be discontinued. It therefore proposes that either of the following recommendations be adopted by the membership:

1. An effort should be made during the 1954-1955 year to organize a system of obtaining current listings, which listings are to be compiled, mimeographed, and distributed to the institutional members of the American Association of Law Libraries.
2. The courses of organization and reorganization of the American Association of Law Libraries Exchange, since its inception in 1932, has adequately demonstrated its ineffectiveness, and it is therefore discontinued.

Respectfully submitted,
Vincent E. Fiordalisi, *Chairman*
Verna E. Baertschy
Helen M. Lumpkin
Louis Piacenza
Francis J. Rooney

REPORT OF COMMITTEE ON FOREIGN LAW

The Committee investigated difficulties which law libraries have encountered in acquiring law books from some foreign countries. It was found that in the case of certain Latin-American countries the expense of and difficulties in obtaining export licenses stand in the way of the free flow of law books from these countries to the United States.

The difficulties which law libraries encountered in obtaining law books from the Soviet Union and Soviet-dominated countries were brought to the attention of the Department of State by the Committee.

At the request of President Elliott inquiries were made from the Library of Congress concerning the compilation of a separate union catalog of foreign law

books. While the answer was that the compilation of such a separate union catalog would not be feasible Mr. George A. Schwegmann, Jr., Chief of the Union Catalog Division, stated that the Library of Congress would be most interested in perfecting arrangements "for the assured receipt of cards for all currently cataloged foreign law materials" from law libraries which hitherto have not cooperated with the National Union Catalog. Mr. Schwegmann would also be interested in receiving cards for previously cataloged materials.

The Committee continued its investigations concerning the feasibility of publishing an index to foreign legal periodicals. The negotiations with the Belgian *Service de Législation Etrangère* concerning cooperation with the *Documentation Juridique Etrangère* failed primarily because Belgian language legislation causes insuperable difficulties in adopting English language subject headings. Particular attention should be drawn to the first cumulation of the *Selected List of Articles on International Law and Relations, Comparative and Foreign Law* (1952/53), published by the Law Library of Columbia University.

The Committee cooperated with the Membership Committee and the Editor of the Law Library Journal in interesting foreign law librarians and book dealers in our Association.

Respectfully submitted,
Stojan S. Bayitch
Louis Piacenza
Kurt Schwerin
Kate Wallach
William B. Stern, *Chairman*

REPORT OF COMMITTEE ON INDEX TO LEGAL PERIODICALS

The financial condition of the Index continues to be good, our credit balance at the end of the year 1953 being \$9,261.74. No change has been made in the publication schedule as printing costs are still increasing. Circulation during the

year increased from 882 to 906 subscriptions.

The following periodicals were added to the list of those indexed: Brief, Kappa Beta Pi Quarterly, Sydney Law Review, Title News, Law Institute Journal and the articles in U. S. and Canadian Aviation Reports. None have been dropped. Mr. Bitner and Mr. Borgeson are endeavouring to work out standards by which we may decide what periodicals should be covered.

The Sub-Committee on Subject-Headings has continued its work under the able leadership of Miss Benyon and it is hoped that the Committee may have some definite recommendations as to the revision to present at the annual meeting.

The Committee recommends that the Index be printed in six-point type on the completion of the present three-year period. The list of Bar association reports is now being omitted from the Index issues. A new heading, "Annual Surveys of Law", is now being used.

Our executive editor is still Miss Dorothy A. Flaherty. Her former assistant, Miss Garman, resigned and was succeeded by Miss Fanna S. Mintz in October 1953.

The Committee again expresses its appreciation of the invaluable advice given by Professor Maguire, our consulting editor.

Elizabeth V. Benyon
Harry Bitner
Earl A. Borgeson
Thomas S. Checkley
Helen Newman
Helen A. Snook
George A. Johnston, *Chairman*

REPORT OF COMMITTEE ON LAW LIBRARY JOURNAL

The first project considered by the Committee was the improvement of the indexing of the *Journal*. A subcommittee consisting of Mortimer Schwartz and Dorothy Salmon undertook to assist in the preparation of an index for Volume 46 having in mind the compiling of a list of headings which could be used in making a cumulative index for the entire

Journal. The index for Volume 46 is an excellent one and will serve as a guide to work on a cumulation.

With the completion of Volume 46 it was felt desirable to obtain some reader reaction to the new editorial policies. Since the mailing of a questionnaire to the entire membership of the Association would involve considerable expense, a questionnaire was submitted to the members of the Southern California chapter. The results showed that most members read approximately 75% of the text and advertisements and that in every library one or two staff members check over checklists and lists of current publications. The President's Page proved most popular with articles on librarianship and law library salaries coming next.

The finances of the Association and of the *Journal* make it imperative that every economy be practiced consistent with a policy of maintaining the present high standards of the *Journal*.

The Committee and the Editor cooperated in effecting all possible savings.

In addition to practicing economies, our Editor has increased the revenue from advertisements in an amazing fashion. The average number of paid pages of advertising in 1950 was ten, in 1951 nine and one half, in 1952 eleven and one half, in 1953 twelve and in 1954 twenty. We are happy to report that the finances of the *Journal* improved during the year.

It was with great regret that the Committee learned that William B. Stern has resigned from the position as Editor effective July 31, 1954. Bill has done an outstanding job and has given unstintingly of himself. Under his guidance the *Journal* has attained a very high standard and we are grateful to him for his fine contribution to the field of law librarianship.

Respectfully submitted,
Bernita J. Davies
Dillard S. Gardner
Helen Hargrave
Dorothy Salmon
Mortimer Schwartz
Forrest S. Drummond, *Chairman*

**REPORT OF COMMITTEE ON
LIST OF LAW LIBRARIES**

The 1954 directory of the *Law Libraries in the United States and Canada* has been the product of the work of this Committee. The preparation of such a directory involves many hours of arduous checking and without the full cooperation of each member of the committee, the task could never be completed. The chairman has received more than a full measure of help from the members of the committee and for this, she is indeed grateful.

The committee wishes to thank Matthew Bender and Co., Shepard's Citations, Inc. and Commerce Clearing House, Inc. for their assistance in the preparation of the directory.

This year, the directory includes a copy of the Constitution and By-Laws of the Association, and lists the local chapters and officers thereof which have been chartered by the American Association of Law Libraries.

The Committee has made some suggestions for the improvement of the mechanical procedures involved in the preparation of the directory in its full report to the President. It is suggested that the Committee appointed to prepare the 1956 directory consult that report before beginning its labors.

Respectfully submitted,
Betty Virginia LeBus, *Chairman*
Corrine Bass
Doris R. Fenneberg
Mildred A. Fraser
Marvin P. Hogan
Virginia A. Knox
Janet M. Riley
Mary K. Sanders

**REPORT OF COMMITTEE ON
LOCAL ARRANGEMENTS**

It has been the duty of this committee to make all local arrangements for the 47th annual convention of the Association, to be held in Miami Beach, June 28—July 1. The Delano Hotel was re-

served for headquarters and other arrangements were made for delegates who preferred less expensive accommodations or a motel.

The social program was planned including three luncheons, a reception, a cocktail party, banquet, boat trip, trip to the Rare Bird Farm and the University of Miami.

Sponsors for the various social events and other details were contacted and kept advised of plans as they were made.

Speakers were secured for the opening luncheon and the final banquet.

A local travel service was contacted to arrange for post-convention trips to Cuba, Nassau and other points. A letter was mailed to the members by the travel service covering the necessary information concerning the trips.

The possibility of special exhibits by library supply houses was explored, but the idea was abandoned as impractical for this convention.

A tentative budget was prepared and the registration fee fixed.

Two general letters were sent out to the members giving information concerning the program, hotel rates, registration fee, and other matters.

The Chairman has also conducted an extensive correspondence with individual members who had special requests.

A reporter for the convention was secured. Arrangements for registration of the delegates have been made with the Miami Beach Convention Bureau.

Other details, such as securing material for the printed program, printing tickets, arranging for transportation and publicity have been carried out.

The Committee has worked closely with the President and has had excellent co-operation from the officers of the Association, the Miami Beach Convention Bureau, the Delano Hotel and the University of Miami in making all arrangements.

Harriet L. French, *Chairman*
M. Minnette Massey
Estra R. Pillau
Ila R. Pridgen

REPORT OF COMMITTEE ON MEMORIALS

This, happily, has been a year when your committee on memorials has not had the solemn duty of reporting the deaths of any of our association members.

Two memorials were duly published in the August 1953 issue of the Journal. The death of one of these members had previously been noted in last year's report, and the other evidently had been received too late to be included in the report:

JAMES JOSEPH LUNSFORD, Librarian, Central Law Library of Hillsborough County, Tampa, Florida, who died on October 21, 1952. His memorial was adopted from a Resolution of the Committee of the Bar Association of Tampa and Hillsborough County and published in the Law Library Journal, Vol. 46, No. 3, August, 1953, p. 243.

JAMES H. DEERING, Librarian Emeritus of the San Francisco Law Library, who died on March 10, 1953. His memorial was prepared by Robert J. Everson and published in the Law Library Journal, Vol. 46, No. 3, August, 1953, p. 242.

It seems timely for this committee to recommend a continuance of the method of preparing the memorials which was carried into effect last year. By this means there is greater assurance of adequately prepared memorials.

Respectfully submitted,
 Harrison MacDonald, *Chairman*
 A. Mercer Daniel
 Lena Keller
 Cyril L. McDermott
 Arie Poldervaart

REPORT OF COMMITTEE ON MICROCARDS

The Committee held two meetings during the year. The first meeting, held in New York, was exploratory in nature, and the discussion centered around the kind of material which would be most likely to be purchased by libraries. It was agreed that legal periodicals constitute a natural field of operation, but that the difficulty

of determining the microcarding which would be financially feasible was the stumbling block for any publisher. Legislative histories, already prepared by members of the Association, were suggested as material for microcarding. The second meeting was held in Washington, D. C., and was attended by the whole Committee and representatives of the Matthew Bender Co. An all-day session (somewhat marred by a blizzard) resulted in a proposal by the Bender Company to publish in microcard form legislative histories, to be supplied to them by this Committee, on a subscription basis. Bender will publish at least 40,000 pages of histories of each Congress, at an estimated cost of \$125.00 per year. The acts which will be represented will be selected by the Microcard Committee, and the histories will be photographed without editing by Bender. At the outset, there will undoubtedly be lack of uniformity, but as the program develops it is hoped that the compilers of the histories will adopt a uniform arrangement. The Committee has already selected a series of acts passed by the 82d Congress, and microphotographing the histories, which are the product of members of the Washington chapter, is under way. The Committee feels that this is a development which will be of great value to libraries, and is hopeful that support will be sufficient to encourage Bender and others to continue to publish materials suitable for microcards.

It would be helpful to the Committee to learn from the members of the Association what materials would be regarded as important enough to warrant microcard publication. It must be remembered that publication requires subsequent purchase.

Five members of the Committee visited Rochester for a preview of the microcard reader and the microcards manufactured by Microlex Co. At the present time, Microlex is manufacturing A. L. R. microcards, but it is perfectly willing to manufacture microcards for anyone who is interested.

The Committee recommends that the membership of the Committee remain the

same for the next year, in order that there be continuity during the development of the publication of the legislative histories.

Joseph L. Andrews
Elizabeth Finley
Julius Marke
Huberta A. Prince
Erwin C. Surrency
Carroll C. Moreland, *Chairman*

Robert Q. Kelly
Marianna Long
Rebecca L. Notz
Jane Oliver
Ila R. Pridgen
Mills Shipley
George A. Strait
Daphne Thuillier
Hibernia Turbeville
Leonard G. Wrinch
Francis B. Waters, *Chairman*

REPORT OF COMMITTEE ON NEW MEMBERS

The Committee is pleased to report twenty-seven new members, four of which can be classified as "associate", three as "institutional", and the remainder as "active". With but eight cancellations in membership recorded, there has been a net increase of nineteen new members during the campaign year.

Highlights of the Committee's activities may be summarized under three headings: first, excellent inter-committee cooperation with the Committee on List of Law Libraries in handling the problem of contacting prospects whose names were not included in the last geographical directory of law libraries; second, an intensive campaign directed toward Pennsylvania law libraries many of which are not yet members of the Association; and third, the favorable publicity received by Association Chapters which publish local news letters.

To Mr. William B. Stern who, though not a member of this Committee, graciously contacted many foreign libraries and book dealers on its behalf, the Committee extends its warmest thanks.

Respectfully submitted,
Howard M. Adams
Viola M. Allen
Eunice W. Beeson
Esther Betz
Stanley J. Bougas
George L. Buttafoco
Lois L. Crissey
Marie Drolef
John W. Heckel

REPORT OF COMMITTEE ON PERMANENT HEADQUARTERS

The advantages of establishing permanent headquarters in the building in Chicago now under construction for the headquarters of the American Bar Association and related groups are so obvious that the Committee has been of the opinion that no other alternative should be considered unless such a solution proves to be impracticable. Unfortunately it is necessary to report at this time that, although the American Bar Association is making space available to related groups at cost, the amount involved for such space as would be required substantially exceeds what the American Association of Law Libraries is now in a position to provide. In view of the financial problem, for which no solution has been found, the Committee has not been able to take any further step.

However, it can be reported that this matter is before the Survey of the Legal Profession, coupled with the recommendation of William R. Roalfe, as a participant in the Survey, that the American Bar Association collaborate with the American Association of Law Libraries in an effort to solve the financial problem involved.

In view of the fact that it may in the future be possible for this Committee to deal constructively with this problem, it is recommended that the Committee be continued.

Respectfully submitted,
Forrest S. Drummond
Lawrence Keitt
William R. Roalfe, *Chairman*

REPORT OF COMMITTEE ON STATE BAR ASSOCIATION PUBLICATIONS

A short report, not continuing the detailed listing of former years, is submitted this year. Much of the material previously listed is available in the Index to State Bar Association Proceedings and continued in the Index to Legal Periodicals.

A suggestion is made for a future Committee to pursue at greater length the preparation of bibliographies of the publications of the state bar associations in the fields on continuing legal education and public relations.

James H. Tibbets, *Chairman*

- * Albert P. Blaustein
- Evelyn G. DeWitt
- Frank Di Canio
- Virginia E. Engle
- Vera Woeste

REPORT OF JOINT COMMITTEE ON COOPERATION BETWEEN THE ASSOCIATION OF AMERICAN LAW SCHOOLS AND THE AMERICAN ASSOCIATION OF LAW LIBRARIES

The Committee reported that three topics (Bibliographic Guides to American Law, Program for Appraisal of Research, and Classification Study) had been submitted to the last annual meeting of the A.A.L.S. and were awaiting disposition by that body or its Executive Board.

Recommendations and progress reports concerning continued and new matters were as follows:

- A. Position Classification and Salary Schedules for Law School Libraries* (see 46 Law Lib. J. 320). On the basis of the Summary Report of the Subcommittee on this subject the Committee recommended that the Executive Committee be authorized to determine whether the Association should proceed further with this study and, if so, the means whereby such program should be carried forward.

- B. Law School Library Practice Manual:* This project is going forward under Mr. Miles O. Price.
- C. Library Statistics:* These will again be gathered if the Association believes them productive.
- D. Convention Travel by Law School Librarians:* The Committee has under consideration the question of whether any specific steps may or should be taken by the Association to secure increased convention travel expense allowances for librarians.
- E. Question and Answer Service:* It was recommended that this project be left to the management of the Journal Editor.
- F. Scholarships for Law Librarians:* This subject is under study by the Committee.
- G. Library Staff Standards:* A proposal was made to the Committee that the Standards of the A.A.L.S. (III-2, a) be made more specific concerning the size of the library staff. This subject is under inquiry.

Thomas C. Checkley
 Marian G. Gallagher
 Percy A. Hogan
 J. Willard Hurst
 Leon M. Liddell
 Julius J. Marke
 Lewis W. Morse
 Ervin S. Pollack
 Dorothy Salmon
 Erwin C. Surreny
 Eda A. Zwinggi
 Vernon M. Smith, *Chairman*

REPORT OF NOMINATING COMMITTEE

For President-Elect:
 Dillard S. Gardner
 Carroll C. Moreland

For Executive Board:
 Helen Snook
 Betty V. LeBus

For Treasurer:
 Elizabeth Finley

For Secretary:
 Frances Farmer

The members of the Nominating Committee were:

Harold J. Bowen
Sidney B. Hill
William Jeffrey, Jr.
Michalina Keeler
Dennis A. Dooley, *Chairman*

REPORT OF SPECIAL COMMITTEE ON PUBLICATIONS

The members of the Special Committee on Publications for 1951-52 listed several projects which they thought should be studied and perhaps undertaken by the Committee. Of these projects the following two remained to be considered in detail when the present Committee began its work for the year 1953-54:

1. Periodic cumulations of the "Current Publications" section in the Law Library Journal.
2. The inclusion in the listing of additional materials such as state administrative reports and opinions, bar association reports, etc.

The efforts of the Committee have been concentrated upon the second project: the possibility of listing state, and some federal, administrative reports and opinions. In an attempt to find out just which state agencies publish opinions which are available for distribution, each state librarian was contacted. The response from the state librarians has been very good, but it has been a time-consuming task and it has not been possible within the year for the Committee to secure the needed information and make a definite decision as to the feasibility of listing the opinions and reports.

It is recommended, therefore, that the Committee be continued for another year in order that a decision may be reached on the project which has been under consideration during the year and in order that the first project, as mentioned above, may be given further study.

Respectfully submitted,
Katharine B. Day, Chairman
Jacqueline Bartells
Caroline Brede
Georgina M. Broad

Pauline A. Carleton
Paul Gay
Meira G. Pimsleur
Dorothy Scarborough

REPORT OF A.A.L.L. REPRESENTATIVE ON A.L.A. COUNCIL

As the A.A.L.L. Representative on the Council of the American Library Association, I attended the three sessions of the Council at the A.L.A. Midwinter Conference in Chicago, February 4 and 5, 1954.

In addition to the usual progress reports, several items of interest and importance should be noted.

1. The Council created a Committee on State Legislative Action, with functions established as follows: To present suggested library legislative proposals to the Drafting Committee of the Council of State Governments by July 1, 1954, if possible, with a view to gaining the support of the Drafting Committee in presenting these proposals to all state legislatures in time for consideration in 1955.

2. The Council adopted two resolutions: (1) In support of the ratification of the Universal Copyright Convention now pending before the Senate. (2) In the matter of retirement income legislation, to support the Mason Bill (H.R. 5180) now before Congress, which contains desirable provisions on the exemption of retirement income.

3. The Council approved a recommendation of the Committee on Constitution and By-Laws, limiting state chapter representation on the Council to one per state. In the past, some states had as many as three representatives accredited to the Council.

Other items of importance were the report on the activities of the A.L.A. Washington Office, the report of the Special Committee on Appointment of the Librarian of Congress, and the announcement that the Superintendent of Documents, as directed by law, will begin soon to charge depository libraries postage for the materials they are receiving. This may amount to as much as \$100.00 per year for each library.

Respectfully submitted,
Kurt Schwerin

REPORT OF A.A.L.L. REPRESENTATIVE ON JOINT COMMITTEE OF A.L.A. ON GOVERNMENT PUBLICATIONS

The membership of the Joint Committee of A.L.A. on Government Publications for 1953-54 was as follows: Chairman, Benjamin E. Powell, Duke University Library, repre-

senting the American Library Association, James T. Babb, Yale University Library, representing the Association of Research Libraries, and your Representative. No information has been received as of this writing of the appointment of a representative from the Special Libraries Association.

Several important problems concerning the present policy of distribution of federal documents were referred to the Joint Committee by your President. These included the number of depository libraries in the United States; the decrease in the number of documents now being sent to libraries; the present method of ordering documents; and the need and desire of law libraries to obtain certain depository materials now unavailable to them under any circumstances.

The Committee has had little opportunity to study the problems since a Chairman was not selected until April. It is rather doubtful if anything will be accomplished during the short time remaining this year, although it is hoped that a plan of action may be suggested to be followed by a subsequent Committee.

It is the recommendation of your Representative that the matters be strenuously pursued next year either by the Joint Committee of A.L.A. or by a separate committee of this Association.

Respectfully submitted,
Charlotte C. Dunnebacke

REPORT OF A.A.L.L. REPRESENTATIVE ON JOINT COMMITTEE OF A.L.A. ON MICROCARDS

There has been at least one meeting and some correspondence with the various representatives of the national library association on the latest technical development of microcards. Carlyle's admonition about accepting the universe should be applied to Microcards and Readers. It would be well for law librarians to examine the Fourth Annual Catalog of Microcard Publications for items listed under law, political science, etc., which makes available research material not otherwise easily accessible, especially for the smaller library.

Considerable thought and effort is going into improving the technical aspects of both Readers and Microcards. Attention is also being paid to the price of the cards, and the possibility of publishing double-sided cards without a rise in cost.

Readers are being sold at the rate of fifty a month and approximately two thousand machines are in use. It has been urged that law students be exposed to the use of Readers in the legal bibliography courses so that some of the prejudice that comes from the older members against their use might be over-

come. All members are invited to suggest additional titles to be microcarded.

Respectfully submitted,
Joseph L. Andrews

REPORT OF A.A.L.L. REPRESENTATIVE PRO TEM. ON JOINT COMMITTEE OF A.L.A. ON UNION LIST OF SERIALS

The Joint Committee on the Union List of Serials met on April 22, 1954 at the Library of Congress under the chairmanship of Willis E. Wright (Williams College Library). Among the items on the agenda were problems of cataloging, cross-references between issuing agencies and titles, a numbering system for entries, notice of bibliographical changes, assignment of principal responsibility for reporting holdings, questions of arrangement and supplementary lists, inclusion of price and other subscription data, and solicitation of new subscribers and contributors to New Serial Titles.

Rules of entry, description, and bibliographical information are to correspond substantially to Library of Congress rules for descriptive cataloging. Publications with title-pages in the Roman alphabet will be listed in New Serial Titles regardless of the language of the text. Law reporting systems will be continued to be listed. While documents of other than national governments are not listed, publications of universities and other state or municipal institutions entered directly under their names will be included. Whenever there is a choice between entry under issuing body or under title, a cross-reference from the unused form to the one chosen for the entry is to be provided. Possibilities for a numbering system for entries were discussed but no definite conclusions were reached as to the merits of such a system; the problem was referred to the Library of Congress for further study. A supplement containing changes of name or other relevant data is to be supplied with each monthly issue. The feasibility of arrangements other than alphabetical listing is to be explored. Libraries desiring auxiliary lists arranged in classified order, by subject, or by area may order them from the Library of Congress at cost plus ten percent. It was the consensus of the Committee that every effort should be made on the part of the associations represented to urge their members and affiliated libraries to support New Serial Titles by subscribing to this important publication and by contributing their holdings.

Dr. Andrew D. Osborn (Harvard University Library) was elected chairman of the Committee.

Werner B. Ellinger

REPORT OF A.A.L.L. REPRESENTATIVE ON COUNCIL OF NATIONAL LIBRARY ASSOCIATIONS' JOINT COMMITTEE ON EDUCATION FOR LIBRARIANSHIP

The Joint Committee has sponsored the publication of a series of articles on education for librarianship in the Library Quarterly for January 1954, in the fields of finance, journalism, law, medicine, music, science technology and theatre. The statements set forth what are believed to be optimum and yet practical programs for the training of special librarians in the fields indicated.

Each curriculum as set forth was submitted prior to publication to library associations concerned with the problems considered therein for critical evaluation. Your Representative prepared the statement pertaining to law librarianship. See the Law Library Journal (1952) page 365 for the critique of the A.A.L.L. Committee which commented thereon. The Joint Committee awaits additional criticism and comments.

The Committee now plans to consider preparation for librarianship in the fields of theology, art and architecture, maps and geography. It is the sense of the Joint Committee to eventually cover all of the specialties in this respect and to submit a final report in the future in which all these statements subjected to criticism and evaluation will be presented under editorial control. At that point it may be possible to ascertain a core curriculum pertinent to all the subject specialties.

The Joint Committee is also planning a comprehensive study of job possibilities in the special library fields considering not only present needs but also projecting these needs into the future. Of course, this will entail a great deal of expense and it will be necessary to obtain financial aid from one of the foundations.

The program of the Joint Committee is indeed a vital one and it is strongly recommended that the representation of the A.A.L.L. on the Joint Committee be continued.

Respectfully submitted,
Julius S. Marke

REPORT OF A.A.L.L. REPRESENTATIVE ON COUNCIL OF NATIONAL LIBRARY ASSOCIATIONS' JOINT COMMITTEE ON LIBRARY WORK AS A CAREER

The Joint Committee on Library Work as

a Career (JCLWC) held a midwinter meeting on Friday, February 5, 1954 at Chicago, its attempted annual meeting, in Los Angeles in June, 1953, having been adjourned when a quorum was not present. At the Chicago meeting the Committee Chairman, Miss Helen M. Focke, spoke of the membership difficulties and recommended that the cooperating organizations attempt to appoint representatives for several year terms.

Miss Focke briefly reviewed the several individual recruiting efforts made by JCLWC organizations in the past year. The need for recruiting pamphlets being acute, she stated that after examining several, JCLWC hopes to have the revised version of "Paging Your Future", originally prepared by the Oregon Library Association, made available through the A.L.A. Publishing Department.

Mr. Edward Chapman gave a progress report on the Measurement and Guidance in Library Education and Professional Employment Project which is sponsored by the A.C.R.L. Recruiting Committee and endorsed by JCLWC. This project, conducted by the Personnel Testing Laboratory of Rensselaer Polytechnic Institute, is an attempt to devise a series of tests to measure aptitudes and interest in library work. It is hoped such tests will help to determine who is best suited for library work, to predict who is most likely to remain in library work, etc.

It was brought out that the A.L.A. Board of Education for Librarianship has appointed a subcommittee from the Baltimore area to make recommendations to that Board as to what the latter could best do to further recruiting.

As can be readily seen from the above, and from prior reports, JCLWC is quite naturally, in view of its membership, almost entirely interested in recruiting students for library schools. In the long run, any success it may have will be of benefit to our profession. It is well to recognize, however, that the burden of recruiting new members to our profession is almost entirely a direct responsibility of each and every member of A.A.L.L., and of the A.A.L.L. itself.

Thomas S. Checkley

REPORT OF A.A.L.L. REPRESENTATIVE ON COUNCIL OF NATIONAL LIBRARY ASSOCIATIONS' JOINT COMMITTEE ON MICROFILMING AND MICROCARD PROJECTS

At the April meeting of the American Standards Association Sectional Committee on Photographic Reproduction of Documents PH 5, Dr. Fremont Rider, Chairman of the Subcommittee on Micro-opesques, submitted a report which was read by Miles O. Price.

It recommended the adoption of two sizes of opaque microtext (microcard) and two only: the 7.5 x 12.5 cm size (approximately 3 x 5 inches) used by Microcards; and the 15.3 x 22.9 (approximately 6 x 9 inches). After some discussion this report was referred back to the Subcommittee to consider standards for the Reader as well as the size of cards, and to report again.

Respectfully submitted,
Joseph L. Andrews

REPORT OF A.A.L.L. REPRESENTATIVE ON U.S. BOOK EXCHANGE

On October 26, 1953, at the annual meeting of the United States Book Exchange, Inc., action was taken to accept the resignation of Mr. James S. Thompson as Chairman and member of the Board of Directors, and to adjourn the meeting until such date as the Board of Directors might determine. On March 1, 1954, the meeting was again convened by the President, Mr. Sidney B. Hill. The minutes of the last annual meeting, the Treasurer's report, and the 1954 budget were approved.

Reports by the Chairman of the Board, Dr. Raymond Zwemer, the Executive Director, Miss Alice Ball, and the Chairman of the Board Committee on Public Relations, Mr. Edward Waters, were presented. While expenses have increased approximately 5½%, earnings have increased 44%. Now 37½% of the expenses of the United States Book Exchange are met by its earnings. The need for contracts and grants still exists, however.

From the "Blue Book", a five year history, one learns that the U.S. Book Exchange has continually moved toward its goal—the establishment of a permanent self-sustaining center for the pooling and exchange of library duplicates. Three million items have been received and one million have been shipped. On hand are periodical issues and books numbering in the millions, available for filling the needs of libraries the world over.

Participation during the same period has expanded from 7 libraries to 536 libraries, representing 45 countries. Law libraries have not joined in the program to any great extent, and, therefore, represent a target for promotion plans.

Respectfully submitted,
Earl C. Borgeson

REPORT OF CHICAGO ASSOCIATION OF LAW LIBRARIES

The members of the Chicago Association of Law Libraries have met in three business sessions, sponsored a workshop, enjoyed a

Christmas party, arranged an informal dinner meeting with librarians attending the Association of American Law Schools annual meeting, and are planning the final meeting of the year.

The chapter's outstanding achievement of the year was the Second Workshop, held October 23-24 at the University of Chicago. The program is discussed in the February, 1954 Law Library Journal, pages 41-42. The Steering Committee was headed by Mr. William R. Roalfe and included Miss Elizabeth Benyon, Mr. Frank Di Canio, and Mr. Kurt Schwerin. Mr. Schwerin had the responsibility for preparing the proceedings.

The final meeting will be held June 4. Officers will be elected for the coming year at that time. The officers for the present year are: Miss Jean Ashman, President; Rev. Edmund A. Burke, C.S.V., Vice-President; Miss Dorothy Scarborough, Secretary; Mr. William D. Murphy and Mrs. Goldie Alperin (replacing Mrs. Grace French, who resigned), Executive Board Members.

The chapter selected Miss Elaine Teigler, Reference Librarian at Northwestern University Law Library, as its nominee for one of the Matthew Bender scholarships. Members were gratified to learn that Miss Teigler had been chosen as one of the recipients by the A.A.L.L. Committee.

Respectfully submitted,
Jean Ashman, President

REPORT OF LAW LIBRARIANS OF NEW ENGLAND

The New England chapter of the American Association of Law Libraries will round out its sixth year with an annual meeting to be held May 21-22, 1954. During the past year an attempt has been made to set up and implement a program which would answer the need of the library profession in this area for not only social activities but also an opportunity to exchange ideas and information. We feel we have taken steps in this direction.

It was a pleasant surprise to note that the topic of the place of public documents in the law library was made the subject of a panel discussion at the annual meeting of the Association this past July. This topic had been selected as the subject for a paper and a discussion period for the interim meeting of the New England chapter which was held March 5, 1954. To set up the problem and to evaluate the interest of the Chapter in a more exhaustive examination of the field, the discussion was limited to the acquisition and processing of Congressional material with emphasis on legislative histories. Miss Ethel Lewis, of the Massachusetts State Library staff, read an interesting paper on this subject and conducted a discussion period which indicated a considerable degree of interest in

this material. Due to the limited time available the treatment did little more than scratch the surface and it was determined that the broader topic be considered at the annual meeting.

At this time, through the kindness of Miss Edith Hary, of the Maine State Library, and Mrs. Annie Rich, of the Cleaves Law Library, who have made all the arrangements, our annual meeting will be held in Portland, Maine on May 21-22, 1954. A panel will be designated to discuss the broad field of United States public documents with reference to the need and desirability of acquisition with particular reference to any differences that might exist due to the type of library. Since the New England chapter embraces bar and state libraries as well as law school libraries it was felt that the needs of a given library would because of this factor vary both as to the type of material selected as well as to the scope of the collection. I feel sure that the splendid cooperation which I have received in the past will again manifest itself and that this meeting will be one of the most productive and stimulating gatherings of the New England chapter.

Stephen G. Morrison, President

REPORT OF LAW LIBRARIANS' SOCIETY OF WASHINGTON, D.C.

The Law Librarians' Society of Washington, D. C. has held four meetings during 1953-54. The first was a tea given in the Whittall Pavilion of the Library of Congress in honor of the officers and new members of the Society. The principal speaker at the November meeting was Mr. James H. Rowe, Jr., who spoke informally on the two Hoover Commissions for the reorganization of the Government. The Honorable Brooks Hays, Representative from Arkansas, was the guest speaker in January. His address was a presentation of the fundamental and philosophical aspects of our foreign policy. Mr. Arthur Fisher, Register of Copyrights, Library of Congress, spoke at the March meeting on the use of copyright material in libraries and the proposed ratification by Congress of the Universal Copyright Convention. The annual meeting of the Society was scheduled for May.

The Society has received ten new members since July 1953, and has had an attendance at its meetings varying from 40 to 60 members. All of its committees have been active during this year. The Law Library Science Committee has completed arrangements with the Department of Agriculture Graduate School whereby two courses will be offered by the School next fall—one in legal reference and one in law librarianship. The Committee on Legislative Histories has in preparation a supplement to the Union List of Legislative

Histories. It is anticipated that such a supplement will be published during this year. The Yearbook Committee came out with a new edition of the Chapter's directory which was published through the courtesy of the Bureau of National Affairs. The Committee on Library Position Classification has notified the Civil Service Commission of the Society's interest in any proposed new standards for library positions and has been assured by the Commission that it will be consulted when such standards are drafted.

Lawrence Keitt, President

REPORT OF LAW LIBRARY ASSOCIATION OF GREATER NEW YORK

The Law Library Association of Greater New York presented a full and interesting program during its 1953-1954 sessions. The Association opened its season in October 1953 with a panel discussion of William Roalfe's book entitled *Libraries of the Legal Profession*, which was chaired by Julius J. Marke and participated in by Harry Bitner, Marjorie S. Coleman, Vincent E. Fiordalisi, William Jeffrey, Eugene M. Wypyski and William C. Taylor.

The December 1953 meeting consisted of a dinner honoring Lawrence H. Schmehl, eminent Law Librarian of the New York County Lawyers Association, upon his completion of fifty years of memorable service to the legal profession. Among the distinguished speakers on this occasion were Edward J. McCullen, Justice of the New York Court of General Sessions, and Professor Elliott Cheatham, of the Columbia University School of Law.

Professor Sheldon Elliott, Director of the Institute of Judicial Administration, addressed the group in February 1954 and reminisced of his days as a law library assistant, concluding with a description of his highly specialized library. Julius Marke then reviewed the plans and possibilities inherent in the microcard project, which was being inaugurated by the Lawyers Cooperative Publishing Company.

The April 1954 meeting was given over to Commerce Clearing House, Inc.; a film-talk on the use of CCH Reporters was presented, after which a general discussion was held by all in attendance.

Other significant events during the year were the preparation by Eugene W. Wypyski of a new Membership List, which was printed through the courtesy of the Metropolitan Law Book Company, and the award of the degree of Doctor of Laws *honoris causa* to Miles O. Price by Temple University on March 4, 1954.

The Nominating Committee announced the following slate of officers for 1954-1955: Vincent E. Fiordalisi, Rutgers University Law

Library, President; Eugene M. Wypyski, New York County Lawyers Association, Vice-President; Miss Catherine Stonaker, Essex County Bar Association, Secretary; Arthur A. Charpentier, Association of the Bar of the City of New York, Treasurer.

Respectfully submitted,
William C. Taylor, *President*

REPORT OF SOUTHERN CALIFORNIA ASSOCIA- TION OF LAW LIBRARIES

The first year of the Southern California Association of Law Libraries as a chapter has been marked with signal success. Since the organization of the Association in December 1952, the membership has increased from fifteen to thirty-two.

The first meeting of the Association as a chapter was held on October 16, 1953, with Mr. Philip F. Westbrook, of the firm of O'Melveny and Myers of Los Angeles as the speaker. He presented his ideas on the relationship between the attorney and the law librarian, indicating what services he felt the attorney could expect from the law library. As a direct result of Mr. Westbrook's suggestions, a Committee composed of Louis Piacenza, Librarian, University of California at Los Angeles School of Law Library, Chairman, John Heckel,

Reference Librarian, Los Angeles County Law Library, and Robert W. Lewis, Librarian, O'Melveny and Myers, was appointed to make a survey of the resources of the law libraries of Southern California. A questionnaire prepared by the Committee will soon be sent to the law libraries of the region.

On January 8, 1954 the Association met at the new building of the Los Angeles County Law Library where tours of inspection were conducted by Messrs. Charles Armstrong, John Heckel and William B. Stern. At this meeting the following officers were elected: Frances K. Holbrook, President; Robert W. Lewis, Vice-President; James H. Tibbets, Secretary-Treasurer.

Assistant Professor John R. Van de Water, of the School of Business Administration of the University of California at Los Angeles, was the speaker at a meeting held at the UCLA School of Law on February 26. He discussed the current federal law of labor relations and the administration's proposed changes in it.

Dr. William H. Davenport, of the English Department of the University of Southern California, described at the meeting held on April 23, his course on Law and Literature which is being given in the Law School at that University, and which has attracted nation-wide interest.

Respectfully submitted,
Frances K. Holbrook, *President*